

ADMINISTRATION

Budget Summary							
Fund	2000-01 Base Year Doubled	2001-03 Governor	2001-03 Jt. Finance	2001-03 Legislature	2001-03 Act 16	Act 16 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$55,071,800	\$54,875,500	\$40,928,900	\$41,860,200	\$41,544,400	- \$13,527,400	- 24.6%
FED	254,216,400	247,922,700	253,710,000	253,710,000	253,710,000	- 506,400	- 0.2
PR	513,088,800	329,790,100	321,895,700	322,398,600	321,877,400	- 191,211,400	- 37.3
SEG	<u>102,373,400</u>	<u>102,538,800</u>	<u>102,538,800</u>	<u>102,538,800</u>	<u>102,538,800</u>	<u>165,400</u>	<u>0.2</u>
TOTAL	\$924,750,400	\$735,127,100	\$719,073,400	\$720,507,600	\$719,670,600	- \$205,079,800	- 22.2%

FTE Position Summary						
Fund	2000-01 Base	2002-03 Governor	2002-03 Jt. Finance	2002-03 Legislature	2002-03 Act 16	Act 16 Change Over 2000-01 Base
GPR	173.11	159.16	138.56	138.56	138.56	- 34.55
FED	84.21	74.96	78.21	78.21	78.21	- 6.00
PR	875.46	665.21	661.21	661.21	661.21	- 214.25
SEG	<u>11.70</u>	<u>11.70</u>	<u>15.70</u>	<u>15.70</u>	<u>15.70</u>	<u>4.00</u>
TOTAL	1,144.48	911.03	893.68	893.68	893.68	- 250.80

Budget Change Items

General Agency Provisions

1. STANDARD BUDGET ADJUSTMENTS

Governor /Legislature: Provide standard adjustments to the base budget totaling \$87,300 GPR, \$238,800 FED, \$193,600 PR and \$82,700 SEG in 2001-02 and \$92,000 GPR, \$203,400 FED, \$29,700 PR and \$82,700 SEG in 2002-03 and -2.0 GPR, -6.0 FED and -9.0 PR positions annually. Adjustments are for: (a) turnover reduction (-\$163,900 GPR and -\$828,500 PR annually); (b) removal of noncontinuing

	Funding	Positions
GPR	\$179,300	- 2.00
FED	442,200	- 6.00
PR	223,300	- 9.00
SEG	<u>165,400</u>	<u>0.00</u>
Total	\$1,010,200	- 17.00

elements from the base (-\$101,000 GPR, -\$216,700 FED and -\$1,685,900 PR in 2001-02 and -\$101,000 GPR, -\$253,500 FED and -\$1,850,400 PR in 2002-03 and -2.0 GPR, -6.0 FED and -9.0 PR project positions annually); (c) full funding of continuing salaries and fringe benefits (\$300,500 GPR, \$444,000 FED, \$2,160,900 PR and \$80,900 SEG annually); (d) reclassifications (\$7,500 GPR, \$9,100 FED, \$1,100 PR in 2001-02 and \$12,200 GPR, \$10,500 FED, \$1,700 PR in 2002-03); (e) overtime (\$15,500 GPR and \$435,000 PR annually); (f) night and weekend differential (\$1,400 GPR and \$73,400 PR annually) (g) fifth week of vacation as cash (\$27,300 GPR, \$2,400 FED, \$37,600 PR and \$1,800 SEG annually); and (h) minor offsetting transfers within the same appropriation.

2. DEBT SERVICE REESTIMATE [LFB Paper 266]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Legislature (Chg. to JFC)	Net Change
GPR	-\$74,000	-\$53,400	-\$70,200	-\$197,600
PR	<u>8,278,900</u>	<u>0</u>	<u>0</u>	<u>8,278,900</u>
Total	\$8,204,900	-\$53,400	-\$70,200	\$8,081,300

Governor: Reestimate the agency's debt service costs by -\$63,300 GPR and \$4,459,200 PR in 2001-02 and -\$10,700 GPR and \$3,819,700 PR in 2002-03.

Joint Finance: Reestimate the agency's debt service costs associated with bonding for adapting the Black Point Estate in Lake Geneva for public use by -\$26,500 GPR in 2001-02 and -\$26,900 GPR 2002-03.

Senate/Legislature: Repeal \$1.6 million in general obligation bonding authority for the operation and maintenance of Black Point Estate and the associated debt service appropriation and delete \$9,000 GPR in 2001-02 and \$61,200 GPR in 2002-03 in estimated debt service payments.

Veto by Governor [B-69]: Restore \$1.6 million in general obligation bonding authority and the debt service appropriation for the Black Point Estate. (No debt service costs are anticipated in this biennium given the current status of the project.)

[Act 16 Vetoed Sections: 848r, 972m and 1036yr]

3. BASE LEVEL POSITION REDUCTIONS

Governor/Legislature: Delete \$40,700 GPR, \$43,600 FED, and \$762,800 PR and 0.8 GPR, 1.0 FED and 18.20 PR positions annually to reflect the imposition of base level position reductions to functions throughout the agency.

Reductions would be made to the following: (a) procurement and financial services (-\$40,700 GPR and -0.5 GPR procurement supervisor and -0.3 GPR financial specialist annually); (b) State

	Funding	Positions
GPR	-\$81,400	- 0.80
FED	- 87,200	- 1.00
PR	<u>- 1,525,600</u>	<u>- 18.20</u>
Total	-\$1,694,200	- 20.00

Use Board operations (-\$30,000 PR and -0.5 PR procurement specialist annually); (c) State Records Center operations (-\$104,900 PR and -1.0 PR typist, -1.0 PR microfilm technician and -2.0 PR records center clerks annually); (d) state facilities planning and construction (-\$242,300 PR and -1.0 PR program assistant, -1.0 PR senior architect, -1.0 PR financial specialist and -2.0 PR unspecified positions annually); (e) IT services to state agencies (-\$24,800 PR and -0.7 PR financial specialist annually); (f) telecommunications and data processing services (-\$238,100 PR and -3.0 PR unspecified positions annually); (g) housing assistance (-\$43,600 FED and -1.0 FED community service specialist annually); and (h) state facilities operations and maintenance (-\$122,700 PR and -2.0 PR laborers, -2.0 PR custodians and -1.0 PR security officer annually).

4. BASE BUDGET REDUCTIONS [LFB Paper 245]

GPR	- \$1,438,000
-----	---------------

Governor: Reduce the agency's largest GPR state operations appropriation by \$719,000 annually. This amount was derived by applying a 5% reduction to \$14,479,600 [state operations adjusted base level funding, less debt service costs]. Include session law language permitting the agency to submit an alternative plan to the Secretary of Administration for allocating the required reduction among its sum certain GPR appropriations for state operations. Provide that if the Secretary of DOA approves the alternative reduction plan, the plan must be submitted to the Joint Committee on Finance for its approval under a 14-day passive review procedure. Specify that if the Secretary of DOA does not approve the agency's alternative reduction plan, the agency must make the reduction to the appropriation as originally indicated.

Joint Finance/Legislature: Modify the Governor's recommendation to provide that the agency may submit a request to the Joint Committee on Finance under s. 13.10 to reallocate any of the reductions to other sum certain GPR appropriations for state operations made to the agency.

[Act 16 Section: 9159(1)]

5. ELIMINATION OF THE ENERGY EFFICIENCY FUND

GPR-REV	\$5,223,000
---------	-------------

Governor/Legislature: Repeal the segregated Energy Efficiency Fund and direct that any unencumbered balances in the Fund be transferred to the general fund. Specify that continuing agency repayments of loans may continue to be transferred by DOA to the general fund. Estimate GPR-Earned receipts of \$4,723,000 in 2001-02 and \$500,000 in 2002-03.

Under the program, state agencies may apply to the Fund for loans with a term of up to six years to finance energy efficiency projects. The loans are repaid from agency fuel and utility appropriations in an annual amount equal to the energy cost savings achieved by the energy efficiency project. For the six years after the loan has been repaid, DOA may transfer amounts equal to the project's energy savings, as follows: (a) one-third to the general fund; (b) one-third to the Fund itself to support the maintenance and monitoring of projects; and (c) one-third may

be retained by the agency for its general program operations, subject to approval by the Joint Committee on Finance. All of these provisions would be repealed under the proposal.

Delete Energy Efficiency Fund loan repayment authority under the fuel and utility appropriations for the following agencies: Administration, Corrections, Educational Communications Board, Health and Family Services, Historical Society, Military Affairs, Program Supplements [for the State Capitol and Executive Residence], Public Instruction, and the UW-System. [Even though agencies could no longer make loan repayments under the amended fuel and utility appropriations purposes, the proposal would give DOA the explicit authority to make annual transfers from the appropriations specified in the original loan agreements for the purpose of repaying any outstanding loan balances.]

[Act 16 Sections: 98, 313 thru 318, 469, 542, 577, 678, 698, 776, 849, 850, 994, 1105, 1145 and 9201(2)]

6. TOBACCO SETTLEMENT AGREEMENT SECURITIZATION IMPLEMENTATION COSTS [LFB Paper 887]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$500,000	- \$500,000	\$0

Governor: Create a GPR-funded sum sufficient appropriation and estimate expenditures of \$500,000 in 2001-02 from this appropriation to support the costs incurred by the Secretary of DOA in any sale of the state's rights to receive any payments under the Attorneys General Master Tobacco Agreement of November 23, 1998, and in organizing and initially capitalizing any corporation or company relating to sale of the state's rights to tobacco settlement payments.

Joint Finance/Legislature: Delete funding and convert appropriation to an annual appropriation.

[See "Tobacco Settlement Securitization" for a more detailed description of this entire initiative.]

[Act 16 Section: 801]

7. TRANSFER OF OTHER AGENCY STAFF TO DOA [LFB Papers 125, 126 and 127]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
PR	\$502,900	4.50	- \$293,300	- 2.50	\$209,600	2.00

Governor: Provide \$256,200 in 2001-02 and \$246,700 in 2002-03 and 4.5 positions annually to reflect the transfer of the following employees to the Department from other state agencies:

Office of the Commissioner of Railroads Attorney. Provide \$151,400 in 2001-02 and \$141,900 in 2002-03 and authorize 1.5 positions for the transfer of 1.0 attorney position and 0.5 undesignated position from the Office of the Commissioner of Railroads to the Department's Division of Hearings and Appeals. However, nonstatutory language would delete only 1.0 PR attorney position from the Office of the Commissioner of Railroad and would provide DOA with increased position authority for 1.0 GPR attorney position to be funded from the Division's GPR-funded general program operations appropriation. No additional funding or position authority is actually provided under that appropriation to reflect this transfer. The PR funding and authority for 1.5 PR positions indicated above would be provided under Division's PR-supported appropriation.

Department of Workforce Development Electrician. Provide \$79,500 annually and authorize 1.0 position under the Department's buildings and police services function to reflect the transfer of an electrician from DWD to DOA. Delete 1.0 PR position under DWD's administrative services appropriation.

Department of Transportation Mail Clerk. Provide \$25,300 annually and authorize 1.0 position under the Department's IT processing services function to reflect the transfer of a mail clerk from DOT to DOA. As part of a separate initiative, this position would be transferred from DOA to the new Department of Electronic Government. Delete 1.0 SEG position under DOT that performs duties primarily related to printing services. Duplicative language transferring the employee from DOT is included in the bill.

Department of Workforce Development Reemployment Specialist. Provide 1.0 position under the Department's risk management function to reflect the transfer of a reemployment specialist from DWD to DOA. This employee has been funded by DOA for many years through an interchange agreement to provide rehabilitation services for state employees. As part of this transfer, \$45,000 annually in DOA's base budget to contract for these services would be shifted to support the cost of the transferred position's salaries and fringe benefits. Deletes 1.0 PR position from the DWD's interagency and intra-agency programs appropriation.

Rights of Transferred Employees. For each of the employees subject to the above transfers, specify that the transferred incumbent employee would retain the same rights and employee status held prior to the transfer and would not be required to serve a probationary period if the employee had already achieved permanent status in his or her classified position.

Joint Finance/Legislature: Delete \$151,400 in 2001-02 and \$141,900 in 2002-03 and 2.5 positions annually to reflect the following actions:

Office of the Commissioner of Railroads. Delete the transfer of \$151,400 in 2001-02 and \$141,900 in 2002-03 and 1.5 positions from the Office of the Commissioner of Railroads to the

Division of Hearings and Appeals and delete the erroneous reference to the creation of 1.0 GPR attorney position in the Division of Hearings and Appeals.

Department of Transportation Mail Clerk. Delete duplicative language transferring a mail clerk employee from DOT.

Department of Workforce Development Reemployment Specialist. Delete the creation of 1.0 position in DOA to reflect the retention of the position in DWD.

[Act 16 Sections: 9101(11), 9152(2) and 9158(2)]

8. TRANSFER OF THE STATE FAIR PARK POLICE FUNCTION TO DOA [LFB Paper 128]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
PR	\$2,356,100	6.00	-\$228,300	0.00	\$2,127,800	6.00

Governor: Provide \$1,193,000 and 6.5 positions (5.0 classified and 1.5 unclassified) in 2000-01 and \$1,163,100 and 6.0 positions (5.0 classified and 1.0 unclassified) in 2002-03 to reflect the transfer of the State Fair Park police force to the Capitol Police under DOA. Anticipated efficiencies arising from the merger would result in the reduction of \$29,900 and 0.5 FTE unclassified position in the second year following the transfer. Specify that all employees transferred would have the same employment status as before transfer, and no employee who has attained permanent status in his or her classified position would be required to serve a probationary period. The revenues to support these increased expenditures would derive from DOA billings to the State Fair Park for the services provided. State Fair Park police functions were assumed by DOA during 2000-01 under an interim agreement.

Include language deleting reference to State Fair Park police from the list of employees who continue to receive pay if they suffer injuries due to their performance of duties in a hazardous occupation. While the transferred incumbents would continue to receive the benefit, the statutory modifications make it unclear whether the amended language specifically authorizes any new State Capitol police employees to receive the hazardous duty pay while injured.

Joint Finance/Legislature: Delete \$129,100 and 0.5 position in 2001-02 and \$99,200 in 2002-03 under DOA to reflect the actual costs of the transferred positions.

Include a specific statutory reference to "state facilities police officers" under the current definition of "performance of duties" to clarify that State Capitol police employees are entitled to receive the same injury benefits as other employees with hazardous duties who are injured in the performance of duties.

[Act 16 Sections: 3081, 3082 and 9146(1)]

9. TASK FORCE ON TECHNOLOGY AND ELECTORAL PARTICIPATION [LFB Paper 129]

	Governor (Chg. to Base)	Legislature (Chg. to Gov)	Net Change
GPR	\$50,000	- \$50,000	\$0

Governor: Provide \$50,000 in 2001-02 to the Department's special and executive order committees appropriation for the purpose of supporting the operation of a task force to be charged with finding ways to use technology to increase voter participation. Under s. 16.40(14) of the statutes, the Joint Committee on Finance must approve any allocation in excess of \$2,000 from this appropriation to any special committee established by law or by executive order.

Senate/Legislature: Delete provision.

10. FEDERAL AND STATE INTEREST PAYMENTS UNDER THE FEDERAL CASH MANAGEMENT IMPROVEMENT ACT

Governor/Legislature: Provide that if the state receives any interest payments from the federal government relating to the timing of federal transfers to the state for programs that are funded from the general fund, specify that the federal payments (minus applicable administrative costs) shall be credited to the general fund as GPR-Earned.

Specify that if the state is required to make interest payments to the federal government because federal funds were not disbursed from state accounts in a timely manner, the Secretary of DOA would be required to notify the Co-Chairs of the Joint Committee on Finance in writing that the state is required to make such interest payments and must indicate the amount of interest to be paid. Create a GPR-funded sum sufficient appropriation under Miscellaneous Appropriations for the payment of any required reimbursements by the state to the federal government.

Under the federal Cash Management Act of 1990, when the federal government does not make timely transfers of federal grant funds to the state after the state and federal government have entered into an agreement on the timing of such payments, the federal government must make interest payments to the state. Conversely, if the state does not disburse the federal funds from state accounts in a timely fashion, it may be required under the federal Act to make interest payments to the federal government. The federal government made interest payments to the state in the amount of \$1,048,300 in 1999-00 and is projected to pay an additional \$1,556,000 in 2000-01. These funds were previously credited as GPR-Earned. Payments under the federal Act are estimated at \$200,000 annually during the next biennium

[Act 16 Sections: 257 and 935]

11. FUNCTIONS OF THE FEDERAL-STATE RELATIONS SECTION

Governor/Legislature: Clarify the current functions of the federal aids management service section established within DOA to include the following new functions: (a) initiating contacts with the federal government for the purpose of facilitating participation by state agencies in federal aid programs; (b) assisting agencies in applying for such aid; and (c) facilitating the influencing of the federal government for the purpose of making policy changes deemed beneficial to the state. Delete reference to a current law function of the service of processing applications for federal grants upon the request of any agency. Revise the Department's current authority to assess fees for processing agency grant applications to apply instead to the new services described above.

[Act 16 Section: 258]

12. CREDITING OF CERTAIN SCHOOL DISTRICT DATA AND VIDEO LINE CONNECTION FEES PAID TO THE DEPARTMENT [LFB Paper 131]

Governor: Delete the requirement that fees paid to the Department by school districts for wiring district facilities with data lines and video links be credited to the services to nongovernmental units PR appropriation account. In the absence of a specification of the appropriation to which such fees would be credited, they would likely be credited to the agency's capital planning and building construction services appropriation, which currently supports the DOA staff that does the wiring. During 1999-00, fee payments totaling \$100,600 were paid to the Department.

Joint Finance/Legislature: Restore the requirement that fees paid to the Department by school districts for wiring district facilities with data lines and video links be credited to the services to nongovernmental units PR appropriation. Authorize the expenditure from this services to nongovernmental units appropriation of the amounts necessary to reimburse DOA's capital planning and building construction appropriation and revise the latter appropriation to permit the crediting of these reimbursements.

[Act 16 Sections: 808 and 814m]

13. AGENCY APPROPRIATIONS CONSOLIDATIONS [LFB Paper 132]

Governor: In addition to appropriations changes described under separate entries, consolidate and revise the Department's appropriation structure as follows. [Modifications to the appropriations structure of the Office of Justice Assistance are described in a separate section.]

<u>Appropriation Affected</u>	<u>Modification</u>
20.505(1)(e) <i>Census Education Assistance</i>	Repealed
20.505(1)(ma) <i>Federal Grants and Contracts</i>	Merged with 20.505(1)(mb) [<i>Federal Aid</i>] and \$165,900 FED and 1.0 FED position transferred annually
20.505(1)(mc) <i>Coastal Zone Management</i>	Merged with 20.505(1)(mb) and \$2,194,200 FED and 5.5 FED positions transferred annually
20.505(1)(n) <i>Federal Aid; Local Assistance</i>	Merged with 20.505(1)(mb)
20.505(3)(a) <i>General Program Operations</i>	Renumbered as 20.505(4)(ba)
20.505(3)(b) <i>Women's Council Operations</i>	Renumbered as 20.505(4)(ea)
20.505(3)(c) <i>Criminal Penalties Study Committee</i>	Repealed
20.505(1)(s) <i>Sesquicentennial Payment of Obligations</i>	Repealed
20.505(3)(g) <i>Gifts and Grants</i>	Merged with 20.505(1)(j) [<i>Gifts, Grants and Bequests</i>]
20.505(3)(h) <i>Program Fees</i>	Merged with s. 20.505(4)(h) [<i>Program Services</i>]
20.505(3)(m) <i>Federal Aid</i>	Repealed
20.505(4)(c) <i>Claims Board Operations</i>	Merged with 20.505(1)(a) [<i>General Program Operations</i>] and \$52,800 GPR and 1.0 GPR position transferred annually
20.505(4)(gm) <i>Gifts and Grants</i>	Merged with 20.505(1)(j) [<i>Gifts, Grants and Bequests</i>]
20.505(7)(d) <i>Grants to Local Housing Organizations</i>	Merged with 20.505(7)(b) [<i>Housing Grants and Loans</i>] and \$500,000 GPR transferred annually
20.505(7)(dm) <i>Transitional Housing Grants</i>	Merged with 20.505(7)(fm) [<i>Shelter for Homeless</i>] and \$375,000 GPR transferred annually
20.505(7)(g) <i>Gifts and Grants</i>	Repealed
20.505(7)(gm) <i>Funding for Homeless</i>	Merged with 20.505(7)(h) retitled <i>Funding for Homeless</i>
20.505(7)(k) <i>Sale of Materials or Services</i>	Merged with 20.505(7)(kg) retitled <i>Housing Program Materials and Services and Weatherization</i>
20.505(7)(km) <i>Weatherization Assistance</i>	Merged with 20.505(7)(kg) and \$10,000,000 PR transferred annually
20.505(7)(n) <i>Federal Aid; Local Assistance</i>	Merged with 20.505(7)(o) retitled <i>Federal Aid; Local Assistance and Aids</i> and \$19,000,000 FED transferred annually
20.505(10)(q) <i>Utility Public Benefits Operations</i>	Renumbered 20.505(3)(q)
20.505(10)(r) <i>Low-Income Assistance Grants</i>	Renumbered 20.505(3)(r)
20.505(10)(s) <i>Energy Conservation Grants</i>	Renumbered 20.505(3)(s)
20.505(11)(s) <i>Air Quality Improvement Grants</i>	Renumbered 20.505(3)(rr)

In addition, revise the titles of subprograms under the agency's appropriation structure to reflect these realignments, make necessary statutory cross-reference changes to reflect the renumbered appropriations, and revise the program purposes of those appropriations into which other appropriations would be merged. In a number of cases, the appropriations consolidations would merge state operations appropriations with local assistance and/or aids to individuals and organizations appropriations. There is no net fiscal change associated with these various appropriations consolidations.

Joint Finance/Legislature: Modify the Governor's recommendation by retaining the sale of materials or services state operations appropriation [s. 20.505(7)(k)], housing program services local assistance appropriation [s. 20.505(7)(kg)], weatherization assistance aids to individuals and organizations appropriation [s. 20.505(7)(km)], federal aid local assistance

appropriation [s. 20.505(7)(n)] and federal aid to individuals and organizations appropriation [s. 20.505(7)(o)] as separate appropriations and allocate the appropriate funding amounts to each separate appropriation, based on type of expenditure.

Delete an obsolete mobile home parks, dealers and salespersons appropriation [s. 20.505(7)(j)].

[Act 16 Sections: 117, 118, 121, 127, 128, 222 thru 224, 226, 227, 324, 325, 773, 802, 811, 825 thru 828, 830, 832 thru 840, 843, 844, 868 thru 874, 901 thru 905, 1385, 3768 and 9201(1)]

14. STATE AND LOCAL GOVERNMENT POLICY COORDINATION [LFB Paper 130]

Funding Positions		
GPR	- \$148,200	- 1.00

Joint Finance/Legislature: Delete \$74,100 and 1.0 position annually associated with an undesignated position that would have been reallocated to a state and local government policy coordination function.

15. BADGER STATE GAMES ASSISTANCE [LFB Paper 133]

GPR	- \$100,000
-----	-------------

Joint Finance: Delete \$50,000 annually to reflect the repeal of the appropriation providing state assistance to the Badger State Games and the elimination of the statutory requirement that DOA provide such assistance. Provide that \$50,000 annually of base level funds be earmarked instead from the Department of Tourism's GPR-funded marketing appropriation to provide assistance to the Badger State Games.

Assembly/Legislature: Delete the requirement that the Department of Tourism earmark \$50,000 in each fiscal year for Badger State Games assistance. The effect of this modification is to delete all state assistance to the Badger State Games.

[Act 16 Sections: 226c and 802c]

16. PUBLIC BENEFITS ADMINISTRATIVE COSTS FUNDING CONVERSION [LFB Paper 134]

Funding Positions		
GPR	- \$880,800	- 4.00
SEG	0	4.00
Total	- \$880,800	0.00

Joint Finance/Legislature: Convert \$440,400 annually and 4.0 positions (2.0 FTE senior management staff in the Division of Energy and Public Benefits and 2.0 FTE administrative support staff in the Division of Administrative Services) and general supplies and services costs relating to the public benefits program from GPR funding to SEG funding from currently appropriated base level administrative funds from the Public Benefits Fund.

17. OFFICE OF FEDERAL-STATE RELATIONS IN WASHINGTON D.C., FUNDING REDUCTION [LFB Paper 135]

	Jt. Finance (Chg. to Base)	Legislature (Chg. to JFC)	Net Change
GPR	- \$175,800	\$175,800	\$0

Joint Finance: Delete \$175,800 annually of salary, fringe benefits and related supplies and services funding for 2.0 FTE unclassified agency staff assigned to the Office of Federal-State Relations in Washington, D.C.. The associated position authority would not be deleted.

Conference Committee/Legislature: Delete provision.

18. VOLUNTEER FIREFIGHTER SERVICE AWARD PROGRAM REESTIMATE [LFB Paper 136]

GPR	- \$101,100
-----	-------------

Joint Finance/Legislature: Reestimate the amount of volunteer firefighter and EMT service award state matching funds expenditures by -\$155,000 in 2001-02 and \$53,900 in 2002-03 to reflect revised estimates of participation in the program.

19. JOINT PROGRAMMING BETWEEN THE ONEIDA TRIBE AND THE UNIVERSITY OF WISCONSIN-GREEN BAY

PR	\$500,000
----	-----------

Joint Finance/Legislature: Provide \$250,000 annually from tribal gaming revenues to finance programming at the University of Wisconsin-Green Bay that is jointly developed by the Oneida Tribe and the University of Wisconsin-Green Bay. Direct DOA to provide the funding for this activity and require the Board of Regents to ensure that programming that is jointly developed is properly implemented.

[Act 16 Sections: 227p, 818m, 891m and 1351m]

20. MANAGEMENT ASSISTANCE GRANT PROGRAM [LFB Paper 168]

Joint Finance/Legislature: Place \$500,000 annually in tribal gaming revenues in the PR supplemental appropriation of the Joint Committee on Finance to be transferred under s. 13.10 of the statutes to the management assistance grant program appropriation upon request of DOA and a finding that a county has met the eligibility criteria of the grant program. The state fiscal effect is reflected in this document under the section for "Program Supplements."

21. GRANTS FOR WISCONSIN PATIENT SAFETY INSTITUTE

GPR	\$220,000
-----	-----------

Senate: Provide \$110,000 annually in a new, annual appropriation created under the Department to provide grants to the Wisconsin Patient Safety Institute, Inc., (WPSI) for collection, analysis and dissemination of information about patient safety and training of health care providers and their employees directed toward improving patient safety. Direct DOA to provide the grants to WPSI. Provide that the following health care providers would be subject to the dissemination of information and training: nurses, chiropractors, dentists, physicians and physicians assistants, physical therapists, podiatrists, dietitians, athletic trainers, occupational therapists and assistants, optometrists, pharmacists, acupuncturists, psychologists and massage therapists or bodyworkers.

Assembly: Modify Senate provision by directing DOA to ensure that no grant funds are expended for entertainment, foreign travel, or payment to persons not providing goods or services to the WPSI.

Conference Committee/Legislature: Include Senate provision, as modified by the Assembly.

[Act 16 Sections: 227r and 802m]

22. DELETION OF ENERGY CONSERVATION AND RENEWABLE RESOURCE PUBLIC BENEFITS PROGRAM

Assembly: Delete the energy conservation and efficiency and renewable resource public benefits program, effective July 1, 2003. Maintain the current law transfer of public benefits funding from investor-owned electric or gas utilities, as previously determined by the PSC.

Low-Income Energy Assistance. Establish the assessment for low-income energy assistance at \$24,000,000 annually from the public benefits fees paid by public utilities, municipal utilities and retail electric cooperatives. Repeal statutory language for the calculation of assessments for low-income energy assistance. Redefine "commitment to community program" to mean a program by a municipal utility, retail electric cooperative or wholesale supplier for low-income assistance, beginning July 1, 2003. This redefinition would delete reference to energy conservation programs.

On July 1, 2003, delete statutory language that requires 47% of the funds for low-income programs from the low-income assistance grants be used for weatherization and other energy conservation programs.

Energy Conservation and Efficiency and Renewable Resource Program. Repeal the statutory requirement for the collection of fees for energy conservation and efficiency and renewable resource funding, beginning on July 1, 2003.

Effective July 1, 2003, reduce the amount that must be collected for public benefits by municipal utilities and retail electric cooperatives by \$8 per meter for the average annual bill. Delete the requirements for municipal utilities and retail electric cooperatives to provide energy conservation and efficiency and renewable resource funding as part of their commitment to community programs. Delete language that authorizes the municipal utilities and retail electric cooperatives to contribute to DOA programs for energy conservation programs.

Modify the energy conservation and efficiency and renewable resource grants appropriation language to allow for the funding of energy assistance grants to public schools and medical assistance program public benefits, less the amounts required for the following new performance based contract program.

Performance Based Contract Program. Create a sum sufficient performance contract program appropriation with monies from the public benefits fund that is equal to 25% of the amount in the utility public benefits fund less the amounts for general program operations, energy assistance grants to schools, medical assistance program benefits and low-income assistance grants.

Require DOA to make a payment to a person if all of the following are satisfied: (a) the person satisfies any eligibility requirements that DOA may establish by rule; (b) the person enters into a contract with a nonresidential customer of a public utility for providing energy-related services or products to the customer for the purpose of reducing the customer's energy utility expenses by an amount specified in the contract over a period of time specified in the contract; and (c) an independent third party certifies to DOA that, as a result of the services or products provided under a performance based contract, the customer's energy utility expenses were reduced by the specified amount over the specified period of time. Require the amount of a performance based contract payment to be based on the amount of the reduction in a customer's energy utility expenses. Require DOA to promulgate rules establishing requirements and procedures for making these payments. Provide that DOA may contract with a person to administer the requirements and procedures established by rules. Define "energy-related services" as electric or gas energy engineering; equipment design, installation, or maintenance; or the financing of energy-related services or products.

Conference Committee/Legislature: Delete provision.

23. PUBLIC SCHOOL ENERGY BILLING AND USE DATA

Assembly/Legislature: Require public utilities to provide the Department with energy billing and use data for public schools, if DOA determines that the data would help it administer or provide energy assistance to public schools, including energy assistance to those public schools with the highest energy costs.

[Act 16 Section: 322m]

Information Technology

1. TRANSFER OF INFORMATION TECHNOLOGY FUNCTIONS OF THE DEPARTMENT OF ELECTRONIC GOVERNMENT [LFB Paper 400]

Funding Positions		
PR	- \$239,150,500	- 224.30

Governor: On the general effective date of the biennial budget act, delete \$119,552,300 in 2001-02 and \$119,598,200 in 2002-03 and 224.3 positions annually from the Department to reflect the creation of an independent Department of Electronic Government. Transfer current statutory authority related to information technology, including procurement related to information technology (but excluding educational technology), to the new department. Funding and positions would be deleted as follows:

a. *Justice Information Systems.* Delete \$4,853,200 and 22.0 positions annually associated with the Bureau of Justice Information Systems.

b. *Information Technology Services and Technology Management Services.* Delete \$109,427,400 in 2001-02 and \$109,473,300 in 2002-03 and 197.3 positions annually associated with the Division of Information Technology Services and the Division of Technology Management. Of the total, \$72,325,100 in 2001-02 and \$72,371,000 in 2002-03 and 168.3 positions annually are related to the operations of the state's computer utility, including the publications and mail service operation transferred under the bill. The remaining \$37,102,300 and 29.0 positions annually are associated with telecommunications and data processing services.

c. *Telecommunications Relay Service.* Delete \$5,013,500 and 1.0 position annually associated with relay service. Relay services allow a hearing or speech impaired person to communicate by telephone with hearing persons. Relay services utilize operators who translate between a person using a telecommunications device for the deaf (TDD) and a person who does not use a TDD.

d. *Information Technology Support Positions.* Delete \$258,200 and 4.0 positions annually (1.0 financial specialist, 1.0 information management consultant, 1.0 information systems training specialist and 1.0 information systems technology consultant) associated with information technology support in DOA.

Specify that on the effective date of the biennial budget act, the DOA assets and liabilities that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the Secretary of DOA, become the assets and liabilities of the Department of Electronic Government.

Specify that on the effective date of the biennial budget act, all full-time equivalent positions in DOA having duties that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the

Secretary of DOA, are transferred to the Department of Electronic Government. Specify that all incumbent employees holding positions are transferred on the effective date of the biennial budget act. Employees transferred would have all of the rights and the same status in the Department of Electronic Government that they enjoyed in DOA immediately before the transfer. No transferred employee who has attained permanent status in class would be required to serve a probationary period.

Specify that on the effective date of the biennial budget act, all DOA tangible personal property and records that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the Secretary of DOA, are transferred to the Department of Electronic Government. Further, specify that all contracts entered into by DOA in effect on the effective date of the biennial budget act that are primarily related to its information technology or telecommunications functions, except educational technology functions, are transferred to the Department of Electronic Government. Require the Department of Electronic Government to carry out any contractual obligations until the contract is modified or rescinded by the Department of Electronic Government, to the extent allowed under the contract.

Specify that all rules promulgated by DOA that are primarily related to its information technology or telecommunications functions, except educational technology functions, and that are in effect on the effective date of the biennial budget act remain in effect until their specified expiration dates or until amended or repealed by the Department of Electronic Government. Similarly, specify that all orders issued by DOA that are primarily related to its information technology or telecommunications functions, except educational technology functions, and that are in effect on the effective date of the biennial budget act remain in effect until their specified expiration dates or until modified or rescinded by the Department of Electronic Government.

Require that any matter pending before DOA that is primarily related to its information technology or telecommunications functions, except educational technology functions, is transferred to the Department of Electronic Government on the effective date of the biennial budget act and all materials submitted to or actions taken by DOA with respect to the pending matter are considered as having been submitted to or taken by the Department of Electronic Government.

Senate: Delete provision creating a Department of Electronic Government, including funding and position transfers. Restore \$132,195,900 in 2001-02 and \$132,235,800 in 2002-03 and 228.3 positions annually to appropriations in DOA.

Conference Committee/Legislature: Restore provision.

[See "Electronic Government" for a more detailed description of the creation of the Department.]

[Act 16 Sections: 9101(7)&(15)]

2. **INFORMATION TECHNOLOGY SERVICES REORGANIZATION** [LFB Paper 400]

PR

- \$8,000

Governor: Modify the Department's appropriation structure by: (a) eliminating the printing, document sales, mail distribution and records services appropriation (-\$24,821,700 in 2001-02 and -\$24,591,300 in 2002-03 and -70.5 positions annually); (b) increasing the information technology processing services to state agencies appropriation by \$21,964,700 in 2001-02 and \$22,034,300 in 2002-03 and 43.0 positions annually to reflect a departmental reorganization under which publishing service and mail service operations are transferred to the Division of Information Technology Services; and (c) increasing the transportation services appropriation by \$2,853,000 in 2001-02 and \$2,553,000 in 2002-03 and 27.5 positions annually to reflect the consolidation the records center, document sales, mail transportation and documents imaging functions from the eliminated printing, document sales, mail distribution and records services appropriation to the transportation services appropriation.

Rename the transportation services appropriation as the transportation, records and document services appropriation. Specify that funding in the renamed appropriation may be used to: (a) provide state vehicle and aircraft fleet, mail transportation, document sales, and records services primarily to state agencies; (b) to transfer the proceeds of document sales to state agencies publishing documents; and (c) to provide for the general program operations of the public records board.

Specify that revenue in the appropriation would be derived from: (a) the provision of state vehicle and aircraft fleet, mail transportation, document sales, and records services primarily to state agencies; (b) documents sold on behalf of state agencies; and (c) services provided to state agencies by the public records board. Specify that on the effective date of the biennial budget act, the Secretary of DOA must apportion and transfer the unencumbered moneys and accounts receivable from the printing, document sales, mail distribution and records services appropriation to the new transportation, records and document services appropriation and to the new Department of Electronic Government's appropriation for general program operations, services to state agencies. Further, specify that the Secretary of DOA must apportion and transfer the liabilities, including any liabilities incurred that do not exceed the depreciated value of the equipment, from the printing, document sales, mail distribution and records services appropriation to the new transportation, records and document services appropriation and to the new Department of Electronic Government's appropriation for general program operations, services to state agencies, in the manner determined by the Secretary.

Under the bill, total funding in the continuing information technology processing services to state agencies appropriation would be \$72,325,100 in 2001-02 and \$72,371,000 in 2002-03 and 168.3 positions annually. Funding and positions associated with the information technology processing services appropriation are transferred from DOA to the new Department of Electronic Government. Total funding remaining in the annual transportation, records and document services appropriation would be \$26,220,700 and 53.3 positions in 2001-02 and \$22,093,000 and 52.8 positions in 2002-03.

Senate: Delete provision.

Conference Committee: Restore provision and make a technical modification to correct an appropriation cross-reference.

[Act 16 Sections: 264, 265, 311, 813aw, 813b, 814, 815, 9101(7) and 9401(2q)]

3. TRANSFER ADMINISTRATIVE SUPPORT POSITIONS TO THE NEW DEPARTMENT OF ELECTRONIC GOVERNMENT [LFB Paper 400]

	Funding	Positions
PR	- \$317,800	- 4.00

Joint Finance: Reduce funding by \$161,900 in 2001-02 and \$155,900 in 2002-03 and 4.0 positions annually in DOA associated with budgeting, financial management, procurement and personnel services to reflect the transfer of these administrative support positions to the new Department of Electronic Government. A corresponding increase is provided under the Department of Electronic Government.

Senate: Delete provision.

Conference Committee/Legislature: Restore provision.

Land Information

1. LAND INFORMATION AND PLANNING [LFB Paper 138]

	Governor (Chg. to Base)		Jt. Finance (Chg. to Gov)		Legislature (Chg. to JFC)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
GPR-REV	\$0		\$0		\$800,000		\$800,000	
PR	-\$521,000	0.00	\$400,000	- 2.00	-\$1,200,000	0.00	-\$1,321,000	- 2.00

Governor: Make the following changes relating to land information and planning:

Immediate Repeal of the Land Information Board. Abolish the Land Information Board on the general effective date of the biennial budget act and transfer the Board's functions, assets and liabilities, tangible personal property, contracts, rules and orders and any pending matters to DOA. Under current law, the Board is scheduled to sunset on September 1, 2003. Delete DOA's responsibility to provide staff services to the Board.

Certain Board Responsibilities Assumed by DOA. Require the Department to direct and supervise the land information program and serve as the state clearinghouse for access to land information. The Department would be required to: (a) provide technical assistance and advice to state agencies and local governmental units with land information responsibilities; (b) maintain and distribute an inventory of land information available for the state, land records available for this state and land information systems; (c) prepare guidelines to coordinate the modernization of land records and land information systems; (d) review project applications from counties for the development of land information systems, the preparation of parcel property maps and systems integration activities; and (f) provide the Wisconsin Land Council with a statement of the Department's proposed expenditures relating to land information programs and aids to counties before the commencement of each fiscal year. Authorize DOA to provide technical assistance to counties and provide educational seminars, courses and conferences relating to land information. The current law ability of the Board to assess fees sufficient to fund these activities would not be retained when these responsibilities are transferred to the Department.

Require DATCP, Commerce, DHFS, Historical Society, DNR, PSC, Revenue, DOT, Tourism and the UW System Board of Regents to submit to the Department on a biennial basis (on March 31 of even-numbered years) a biennial plan for the integration of land information to enable such information to be readily transferable, retrievable, and geographically referenced for use by any state agency, local unit of government, or public utility. DOA would be removed from the current law list of agencies subject to this reporting requirement. Commencing with the plan due on March 31, 2002, the Department of Revenue would no longer be required to submit this information.

Authorize the Department to make grants to counties for projects designed to promote the development of land information systems, the preparation of parcel property maps and systems integration activities. Such grants could not exceed \$100,000 and no more than one grant could be made per county board. The grants would be funded from county land record recording fees that are remitted to the state.

Wisconsin Land Council Retained. Delete the current law provision that would sunset the Wisconsin Land Council on August 31, 2003. Delete the current law function of the Council to study the development of a computer-based land information system and provide the following new functions: (a) establish a land information working group (comprised of the State Cartographer, a representative of the UW-System with expertise in land information issues and any other land information experts designated by the Chair of the Council; (b) review land information grant applications that are made by county boards and make recommendations on their approval; and (c) review proposed expenditures to be made to finance planning activities related to the transportation elements of comprehensive plans and make recommendations on their approval to the Department.

Specify that the working group established above would be required to study and recommend land information standards to the Council and to DOA, advise the Council and

DOA on a Wisconsin land information system and on coordination of state and local land information, and review county land records modernization plans and make recommendations on approval to the Council and to DOA.

The Council would continue its current law functions to: (a) identify and recommend to the Governor land use goals and priorities; (b) identify and study areas of conflict in the state's land use statutes; (c) identify procedures for facilitating land use planning efforts; and (d) gather and analyze information about land use activities in Wisconsin of the federal government and Native American governments.

Add three new members to the current 16-member Council. The new members would be a representative from a public utility, a representative from a professional land information agency and an individual nominated by a statewide association whose purposes include support of a network of statewide land information systems.

County Land Record Recording Fee Increase. Delete the current law provision that on September 1, 2003, the fee for recording or filing the first page of a document with the county register of deeds is reduced from \$10 to \$8 and provide for a permanent increase of \$1 to \$11 for the first page. Under current law, \$6 of the \$10 collected by the county is remitted to the Land Information Board, unless the county has a land information office, in which case the county may retain an additional \$4 to support the office and transfer only \$2 to the Board. Under current law, these funds support the Board's operations. Following the allocation of the county funds for Board operations, the remainder is available for appropriation as land records modernization grants to counties. Under the change, counties would retain the additional \$1 collected and \$2 would continue to be remitted to the state. Based on 1999-00 land records fee collections, it is anticipated that this change would yield an additional \$1,310,900 annually in revenues to counties.

Allocate the annual funding provided from the \$2 fee collected by counties and remitted to the state, as follows: (1) grants to counties (\$230,000 annually); (2) strategic initiative grants to counties (\$270,000 annually); (3) Geographic Information System (GIS) staff support (\$136,500 annually); (4) soil surveys and mapping (\$415,000 annually); (5) land information administrative costs (\$438,000 annually); and (6) development of a computerized Wisconsin land information system (\$623,500 annually).

Appropriations and Position Modifications. Revise the appropriations structure for land information functions under DOA. Shift \$136,500 annually and 2.0 positions engaged in GIS activities from the telecommunications and data processing function to a new land information operations appropriation funded from county recording fee revenues. Delete the current Wisconsin Land Council appropriation and shift \$287,300 in 2001-02 and \$219,000 in 2002-03 and 1.0 position from it to a new soil surveys and mapping and Wisconsin Land Council appropriation. Delete the current soil surveys and mapping appropriation (-\$415,000 annually) and the current appropriation that funds grants to counties (-\$1,384,000 annually). Provide \$1,538,500 annually to the new land information operations appropriation (funded from county

recording fee revenues). The net fiscal effect of all of these deletions and transfers is -\$260,500 annually.

Joint Finance: Modify provision as follows:

a. Delete the repeal of the Land Information Board and the modifications to the Wisconsin Land Council and retain the current powers, duties and composition of these two entities;

b. Extend the current law September 1, 2003, sunset date for the Land Information Board and the Wisconsin Land Council until September 1, 2007;

c. Require the Land Information Board to establish rules governing the creation and maintenance of the Wisconsin Land Information System and require DOA to contract for the operation of this system;

d. Retain the Governor's treatment of county record recording fee increases and the deletion of the sunset on a portion of these fees and stipulate that counties be required to use the \$1 increase in document filing fees retained by them to develop and maintain computerized indexing of their land information records related to housing, including the housing and land use element of a comprehensive plan, in a manner that would allow for greater public access via the Internet;

e. Allocate the annual funding provided from the \$2 fee collected by counties and remitted to the state, as follows: (i) grants to counties (\$154,600 annually); (ii) strategic initiative grants to counties (\$181,500 annually); (iii) housing assessment grants to counties (\$563,900 annually); (iv) soil surveys and mapping (\$415,000 annually); (v) Land Information Board administrative costs (\$238,000 annually); (vi) development of a computerized Wisconsin land information system (\$623,500 annually); and (vii) GIS staff support (\$136,500 annually). The fiscal effect of these allocations is to shift \$200,000 annually originally recommended by the Governor for comprehensive planning grants to Land Information Board operations and grant activities. As part of these reallocations, specify that housing assessment grants to counties would be for the purpose of supporting technological developments and improvements for providing Internet-accessible housing assessment and sales data. Further, delete 2.0 positions in DOA's Office of Land Information Services that provide Land Information Board staff support.

Senate: Delete \$200,000 annually from the aid to counties grant appropriation to provide \$363,900 annually rather than \$563,900 annually to support projects to develop Internet-accessible databases containing housing assessment and housing sales information.

Assembly: Require that \$400,000 annually be lapsed to the general fund from the Land Information Board's general program operations appropriation.

Conference Committee/Legislature: Include Senate provision and Assembly provision.

Veto by Governor [B-29 and B-30]: Delete provisions: (a) extending the current law September 1, 2003, sunset date for the Wisconsin Land Information Board until September 1, 2007, and repealing the September 1, 2003, sunset date for the Wisconsin Land Council; (b) moving from September 1, 2002, until September 1, 2006, the date on which the Council must complete a report for the Legislature that contains an evaluation of the Council's functions and activities; (c) eliminating the requirement that the Council submit a recommendation to the Legislature as to whether the Council should continue in existence past the previous September 1, 2003, sunset date and whether any structural modifications should be made to the Council's function; (d) adding three new members to the current 16-member Council; and (e) requiring the Board to promulgate rules governing the creation and maintenance of a Wisconsin land information system.

[Act 16 Sections: 130, 343t, 800, 803b, 1999m, 2001m, 2003c thru 2003m, 4041b, 4041m, 4041n, 4060fm, 9201(7q) and 9359(11bp)]

[Act 16 Vetoed Sections: 163 thru 167, 200b, 201c, 342m, 342n, 343r, 1999n, 2001n, 4039b, 4041b, 4059b, 4059g and 9459(5r)]

2. COMPREHENSIVE PLANNING GRANTS FUNDED FROM COUNTY LAND RECORD FEES [LFB Paper 138]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Legislature (Chg. to JFC)	Net Change
PR	\$1,000,000	- \$400,000	\$400,000	\$1,000,000

Governor: Provide \$500,000 annually in a PR-funded annual appropriation to support comprehensive planning grants to local units of government. Specify that these grants would be funded from county land record recording fees that are remitted to the state. Authorize the Department to make grants for comprehensive planning activities to local governmental units. Currently, the Department may make comprehensive planning grants from a GPR-funded appropriation. Base level funding in that appropriation is \$1,500,000 GPR annually.

Joint Finance: Delete \$200,000 annually.

Senate: Restore \$200,000 annually and clarify the transfer mechanism from the aids to counties appropriation.

Assembly: Retain Joint Finance provision.

Conference Committee/Legislature: Include Senate provision.

[Act 16 Sections: 332, 804 and 804g]

3. CONVERSION OF THE MUNICIPAL BOUNDARY REVIEW FUNCTION TO PROGRAM REVENUE

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	-\$250,000	- 2.00	\$0	0.00	-\$250,000	- 2.00
PR	<u>250,000</u>	<u>2.00</u>	<u>46,800</u>	<u>0.50</u>	<u>296,800</u>	<u>2.50</u>
Total	\$0	0.00	\$46,800	0.50	\$46,800	0.50

Governor: Provide -\$125,000 GPR and \$125,000 PR and -2.0 GPR positions and 2.0 PR positions annually to convert the municipal boundary review function from GPR funding to PR funding. Authorize the Department to prescribe and set a fee for municipal boundary reviews. Specify that petitioners for municipal boundary review by the Department would be required to pay the fee before the agency would proceed with its review.

Currently, most towns may incorporate as a city or village only after following certain procedures and receiving approval for the incorporation from a circuit court and from DOA. Further, if a town wishes to consolidate with another contiguous city, village or town, the consolidation may not take effect unless a circuit court and DOA find that the proposed consolidation is in the public interest. Town territory that is contiguous to any city or village may be annexed to that city or village under several methods, including direct annexation and annexation by referendum. Under both of these methods, in a county with a population of at least 50,000, DOA is authorized to advise whether the proposed annexation is against the public interest. Upon receiving notice, the annexing municipality is required to review DOA's advice before final action is taken.

Joint Finance: Provide \$23,800 in 2001-02 and \$23,000 in 2002-03 and authorize 0.5 position under DOA's annexation and boundary review function for reviewing and preparing written explanations of the agency's opinion on such proposed annexations. The position would be funded from assessments of municipalities for the costs of the reviews.

Require the Department to issue an opinion in each instance where the annexation would occur in a county with a population of 50,000 or more and to send a notice within 20 days to the affected municipalities stating whether in its opinion the annexation is in the public interest or is against the public interest. The notice would have to include an explanation of the reasons for DOA's opinion. As under current law, the annexing municipality would be required review DOA's opinion before taking final action.

Senate: Delete Joint Finance modification.

Assembly/Legislature: Restore Joint Finance modification.

[Act 16 Sections: 255, 803b, 810, 2015 thru 2019 and 9301(2mk)]

4. TRANSPORTATION PLANNING GRANTS

Governor: Clarify that, for the purpose of making transportation planning grants under current law, DOA would give priority to grant requests in the following order:

First priority would be given to those proposals that addressed the transportation planning element of a local governmental unit's comprehensive plan, as established under current law, *and* also addressed the following new planning activities relating to highway corridor planning: (a) the identification of existing zoning and land-use issues; (b) the identification of existing and planned transportation facilities and services; (c) the analysis of future needs; (d) the identification of areas for future development; and (e) the identification of specific strategies to ensure better coordination of future development and transportation needs in the corridor. "Highway corridor" would be defined as an area up to 10 miles on either side of a state trunk highway that is identified in a transportation planning process by DOT to need additional capacity for vehicular or to have possible safety and operational problems resulting from development pressures adjacent to the highway.

Second priority would be accorded to grants that addressed only the transportation planning element of a local governmental unit's comprehensive plan, as established under current law.

Third priority would be accorded to grants that addressed only the new highway corridor planning activities described above.

Newly authorize a metropolitan planning organization to apply for a transportation grant in addition to any county, city, village, town or regional planning commission. Require the Department to forward to the Wisconsin Land Council a detailed statement of the expenditures proposed to be made by any potential grantee for the Council's recommendation concerning approval of the grant. Require the Department to promulgate rules for the administration of the transportation grant program in consultation with DOT.

The current base level of funding in DOA for transportation grants is \$1,000,000 SEG annually.

Senate: Delete provision.

Assembly: Restore provision.

Conference Committee/Legislature: Delete provision.

5. WISCONSIN LAND COUNCIL STAFF [LFB Paper 139]

Joint Finance/Legislature: Provide \$68,300 in 2001-02 and \$136,600 and 3.0 positions for the Wisconsin Land Council.

	Funding	Positions
PR	\$204,900	3.00

6. SUBMISSION OF SMART GROWTH DATA SETS FOR COMPREHENSIVE PLANNING

Joint Finance/Legislature: Modify the current requirement that biennially, by March 31 of each even-numbered year, the Departments of Administration; Agriculture Trade and Consumer Protection; Commerce; Health and Family Services; Natural Resources; Tourism; Revenue; and Transportation, the Board of Regents of the University of Wisconsin System, the Public Service Commission and the Board of Curators of the Historical Society submit a plan to the Land Information Board to integrate land information that is translatable, retrievable and geographically referenced for use by any state, local governmental unit or public utility, by newly specifying that: (a) the listed agencies submit information that is needed by local units of government to complete comprehensive plans containing the planning elements prescribed under s. 66.1001 of the statutes; (b) the Land Information Board integrate this information in conjunction with land information data needs; (c) the information be readily translatable, retrievable and geographically referenced for use by members of the public; (d) the information be submitted annually rather than biennially; and (e) the Land Information Board make this information accessible by May 31, 2002.

Veto by Governor [B-31]: Delete the requirement that the initial information provided by the state agencies to the Land Information Board relating to integrated land information be made accessible by May 31, 2002. In the veto message, the Governor directs that the information be made available " in a reasonable timeframe."

[Act 16 Section: 343m]

[Act 16 Vetoed Section: 9101(19b)]

7. ANNEXATIONS INVOLVING TOWN ISLANDS

Joint Finance/Legislature: Modify the state statute prohibiting annexations by cities and villages where town islands are created by allowing annexations creating town islands if the area annexed is covered by an intergovernmental cooperation contract or a cooperative plan for boundary change. Specify that the provision applies to existing annexations that have not been overturned by a court order. Since December 2, 1973, state law (s. 66.0221) has prohibited cities or villages from annexing territory if the annexation creates a town island. A town island is an area in a town that is completely surrounded by a city or village. This provision would allow town islands to be created through annexation if the area annexed is covered by an intergovernmental cooperation contract authorized under s. 66.0301 of the statutes or by a cooperative plan for boundary change under s. 66.0307 of the statutes. The provision would apply both to annexations as of the bill's effective date and to annexations that have occurred previously, but not been overturned by a court order.

Veto by Governor [F-22]: Delete the provision that would allow annexations creating town islands where the area being annexed is covered by an intergovernmental cooperation agreement.

[Act 16 Sections: 2019m, 2019n and 9359(9w)]

[Act 16 Vetoed Section: 2019n]

8. AUTHORITY FOR CERTAIN TOWNS TO PETITION FOR INCORPORATION AS A FOURTH CLASS CITY

Joint Finance: Specify that if all the following conditions are met, the procedure for becoming a 4th class city may be initiated: (a) the resident population of the town exceeds 6,000 and the population of the county in which the town is located exceeds 400,000, as shown by the last federal census or by a census requested by the town; (b) the town has an equalized valuation in excess of \$100,000,000; (c) an incorporation petition that requests submission of the question of incorporation to the electors of the town is signed by 100 or more persons, each an elector and taxpayer of the town; (d) the petition under contains the signatures of at least 50% of the owners of real estate in the town. This provision would apply to the Town of Madison.

Senate: Delete provision.

Assembly: Restore provision.

Conference Committee/Legislature: Delete provision.

9. CHANGE IN STATUS OF THE TOWN OF HOBART

Assembly/Legislature: Provide that the Town of Hobart in Brown County would be authorized to become a village without approval from the DOA if current law incorporation procedures are followed. Direct the Town of Hobart and the City of Green Bay to enter into a boundary agreement but specify that the agreement need not be finalized before the referendum for incorporation is held.

[Act 16 Section: 9159(3f)]

10. COMPREHENSIVE PLANNING GRANTS FUNDING

	Legislature (Chg. to Base)	Veto (Chg. to Leg)	Net Change
GPR	\$157,900	- \$157,900	\$0

Assembly: Provide \$357,900 annually for additional comprehensive planning grants. Require the Department to establish a deadline for the receipt of applications for a planning grant. Specify that immediately following the deadline date, all applications received would be open to public inspection.

Conference Committee/Legislature: Modify Assembly provision by providing \$157,900 annually, rather than \$357,900 annually, for additional comprehensive planning grants.

Veto by Governor [B-32]: Delete provision. The Governor's partial veto deletes \$157,900 annually by deleting the amounts in the schedule (\$1,657,900 annually) and writing in the lower amounts (\$1,500,000 annually) for GPR-funded comprehensive planning grants.

[Act 16 Vetoed Sections: 332 and 395 (as it relates to s. 20.505(1)(cm))]

11. PLATTING LAND AND RECORDING CERTIFIED SURVEY MAPS

Assembly/Legislature: Make the following modifications affecting land platting and recording and vacating plats.

Correction Instruments. Specify that upon its recording, a correction instrument would correct a subdivision plat or a certified survey map. Prohibit the use of correction instruments for the reconfiguration of lots or outlots. Define "correction instrument" as an instrument drafted by a licensed land surveyor that upon recording, corrects a subdivision plat or a certified survey map. Authorize approving authorities to use the county coordinate system as approved by the DOT or a coordinate system that is mathematically relatable to a Wisconsin coordinate system. Specify that correcting a plat or certified survey map that changes areas dedicated to the public or that restrict the public benefit must be approved by the appropriate governing body prior to recording.

Delineating Lots. Require that the external boundaries of subdivisions, lots, park and public access corners and all land dedicated to the public be delineated by concrete monuments that contain iron rods not less than 18 inches in length, instead of the current law 24- or 30-inch rods. Provide that, in cases where strict compliance would be unduly difficult or would not provide for adequate monuments, the Department could make other reasonable requirements.

Assembly and Preparation of Plats. Require the original copy of the final plat to be 22 inches wide and 30 inches long and affixed on material that is capable of clearly legible reproduction. Prohibit a county register of deeds from accepting a plat for record unless the plat is offered for record within six months after the date of the last approval instead of the current law 30-day requirement. Require, rather than allow, the correction instrument to be recorded in the office of the register of deeds. Authorize a certified survey map to cross the exterior boundary of a recorded plat where the reconfiguration involves fewer than five parcels by a single owner, or

no additional parcels are created. Provide that the certified parcels must be approved in the same manner as the final plat of a subdivision.

Survey Maps. Require that within 90 days of submitting a certified survey map for approval, the approving authority, or its agent authorized to approve certified survey maps, take action to approve, approve conditionally, or reject the certified survey map and state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the person making the subdivision. Specify that failure of the approving authority or its agent to act within the 90 days, or any extension of that period, would constitute an approval of the certified survey map. Stipulate that upon demand, a certificate to that effect must be made on the face of the map by the clerk of the authority that had failed to act.

Specify that if the certified survey map is approved by a local unit of government, the register of deeds may not accept the certified survey map for record unless all of the following apply: (a) the certified survey map is offered for record within six months after the date of the last approval of the map and within 24 months after the first approval of the map; and (b) the certified survey map shows on its face all of the required certificates and affidavits.

[Act 16 Sections: 3127b thru 3127m]

Agency Services

1. DIVISION OF STATE AGENCY SERVICES -- CONVERSION TO PROGRAM REVENUE [LFB Paper 141]

Funding Positions		
GPR	- \$1,983,700	- 26.25
PR	<u>4,067,300</u>	<u>26.25</u>
Total	\$2,083,600	0.00

Governor: Delete \$1,983,700 GPR and 26.25 GPR positions (25.75 classified positions and 0.5 unclassified position) in 2002-03, and provide \$671,500 PR in 2001-02 and \$3,395,800 PR and 26.25 PR positions (25.75 classified positions and 0.5 unclassified position) in 2002-03 to convert the GPR portions of the Division of State Agency Services from GPR to program revenue funding. The bill would convert the funding source associated with the division administrator's office, operations of the Bureau of Procurement and administration for the Wisconsin Air Service.

Specify that DOA may assess any agency or municipality to which it provides procurement services for the costs of such services. Further specify that DOA may: (a) identify savings that have been realized by a state agency to which it provides services; and (b) assess the agency for not more than the amount of the savings identified by the Department. Create a continuing PR appropriation in DOA funded by revenues from the charges to state agencies for

procurement services and from assessments for procurement savings realized by the agencies receiving those services. The bill does not define savings nor does it specify how DOA would determine the assessments. Under current law, DOA is required to purchase or may delegate the purchase of all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expenses of consumable nature for all agencies.

Under the bill, PR funding and positions would be allocated as follows: (a) from the procurement services assessments, \$671,500 PR in 2001-02 and \$3,308,500 PR and 25.5 PR positions (25.0 classified and 0.5 unclassified) in 2002-03; and (b) from DOA overhead cost assessments for administrative services, \$128,000 PR and 1.75 PR positions in 2002-03. Of the total funding supported by the procurement assessments, \$671,500 PR in 2001-02 and \$1,284,100 in 2002-03 would be placed in unallotted reserve for associated master lease payments for a possible electronic procurement system.

Associated with the conversion, modify the GPR, PR and SEG program supplements appropriations for financial services to permit supplemental funding for procurement services provided by DOA, except for the charges for identified procurement savings. Under the bill, \$1,332,500 GPR in 2002-03 would also be provided under Program Supplements to offset increased costs for state agencies related to the procurement funding conversion. The fiscal effect of that item is shown under "Program Supplements."

Joint Finance: Create the procurement services appropriation as a biennial rather than a PR continuing appropriation funded from procurement assessments and charges.

Request the Joint Committee on Legislative Audit to direct the Legislative Audit Bureau to conduct a performance evaluation audit of the procurement services being provided by DOA to state agencies and municipalities, including an evaluation of the accuracy of DOA's procurement services charges and assessments to state agencies and municipalities for those services. Specify that the audit report be submitted by January 1, 2004.

Senate: Modify provision by: (a) directing DOA to submit its methodology for determining the procurement fees and assessments to the Legislature for approval as an administrative rule; and (b) transferring \$671,500 PR in 2001-02 and \$1,284,100 PR in 2002-03 from DOA's procurement services appropriation to the Joint Committee on Finance s. 20.865(4)(g) supplemental appropriation for release to DOA under s. 16.515 passive review procedures, pending DOA's determination of its actual funding needs for an electronic procurement system.

Assembly/Legislature: Include provision, as modified by Joint Finance.

Veto by Governor [E-5 and E-6]: Delete the creation of the new procurement services appropriation as a biennial appropriation by deleting references to "Biennially, the amounts in the schedule" and by eliminating a period (".") so that the phrase "all moneys received" in the appropriation language becomes controlling and has the effect of converting the new

procurement services appropriation into a continuing appropriation. Under a continuing appropriation, the specific dollar amounts in the schedule represent the most reliable estimates of the amounts to be expended or encumbered during any given fiscal year but are not considered as limiting.

Delete the provision that would have requested the Joint Committee on Legislative Audit to direct the Legislative Audit Bureau to conduct a performance evaluation audit of the procurement services being provided by DOA to state agencies and municipalities, including an evaluation of the accuracy of DOA's procurement services charges and assessments to state agencies and municipalities for those services.

[Act 16 Sections: 277, 817, 949, 953 and 958]

[Act 16 Vetoed Sections: 395 (as it relates to s. 20.505(1)(kf)), 817 and 9132(2ak)]

2. STATE AGENCY SERVICES -- MAILING AND PUBLISHING SERVICES COST INCREASES

PR	\$11,942,800
----	--------------

Governor/Legislature: Provide \$5,936,600 in 2001-02 and \$6,006,200 in 2002-03 for postage, mail volume and other operating costs increases associated with mailing and document services provided to state agencies. DOA is assimilating the mailing services functions of the Departments of Revenue, Transportation and Workforce Development.

3. STATE AGENCY SERVICES -- STATE RECORDS CENTER STORAGE NEEDS

PR	\$327,400
----	-----------

Governor/Legislature: Provide \$313,700 in 2001-02 and \$13,700 in 2002-03 to accommodate the storage of an increasing volume of records at the State Records Center. Funds would be provided for: (a) the purchase of mobile shelving for additional records storage (one-time funding of \$300,000 in 2001-02); and (b) the utilization of additional records storage space currently occupied by the Department of Revenue (\$13,700 annually).

4. STATE TRANSPORTATION SERVICES -- FLEET ACQUISITION, REPLACEMENT AND MAINTENANCE COST INCREASES

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Legislature (Chg. to JFC)	Net Change
GPR-REV	\$0	\$587,600	- \$575,200	\$12,400
PR	\$11,656,700	- \$4,190,900	\$945,800	\$8,411,600

Governor: Provide \$7,456,500 in 2001-02 and \$4,200,200 in 2002-03 for the following state motor fleet and aircraft cost increases. Revenues to support these increases would be provided from charges assessed against state agencies that use the fleet vehicles and aircraft.

Purchase of Additional Vehicles for State Agencies. Provide \$925,300 in 2001-02 and \$1,207,200 in 2002-03 to purchase additional vehicles for state agencies and to pay the associated maintenance, fuel and insurance costs for these additional vehicles. Funds would be provided for: (a) an additional 44 vehicles for state agencies in 2001-02 (one-time funding of \$792,400) and an additional 52 vehicles for state agencies in 2002-03 (one-time funding of \$921,100); and (b) the associated maintenance, fuel and insurance costs for these additional vehicles (\$132,900 in 2001-02 and \$286,100 in 2002-03).

Replacement of Existing Vehicles and Aircraft Overhaul. Provide \$2,867,900 in 2001-02 and \$1,566,500 in 2002-03 for existing motor fleet vehicle replacements and aircraft engine and propeller overhauls. Base level funding of \$7,669,800 annually and the amounts specifically allotted for vehicle purchases and aircraft overhauls would provide the agency with \$10,463,900 in 2001-02 to purchase 667 replacement vehicles and would provide the agency with \$9,038,300 in 2002-03 to purchase 561 replacement vehicles. An additional \$73,800 in 2001-02 and \$198,000 in 2002-03 would be used for aircraft engine and propeller overhaul on five Wisconsin Air Services Aircraft.

Replacement of Existing Aircraft. Provide \$2,659,200 in 2001-02 and \$485,300 in 2002-03 for aircraft replacements. These Wisconsin Air Services replacements and other costs would include: (a) four Vulcan Air replacement planes for DNR in 2001-02 (\$2,433,200); (b) one Cessna replacement plane for DNR in 2001-02 (\$210,000); (c) one Cessna replacement plane each in 2002-03 for DNR and DOT (\$450,300); and (d) on-going supplies and services relating to these aircraft purchases (\$16,000 in 2001-02 and \$35,000 in 2002-03). All of these funds except for the on-going supplies and services amounts would be budgeted in unallotted reserve.

Fleet Operating Cost Increases. Provide \$1,004,100 in 2001-02 and \$941,200 in 2002-03 for increased costs of the existing fleet related to maintenance, fuel costs, insurance and other operating expenses.

Joint Finance: *Replacement of Existing Aircraft.* Delete provision. Require the Department to sell all Wisconsin Air Services agency-assigned work aircraft (other than for three Cessna 172s assigned to DOT, approved under s. 16.515 procedures on February 12, 2001, and the newest three DNR-assigned aircraft). A total of 18 aircraft would be liquidated. Specify that all funds from the sale of these planes be credited to the general fund as GPR-Earned (estimated at \$587,600). Delete base level expenditure authority of \$523,200 annually to reflect a reduction in fleet charges to DNR and DOT for the use of these aircraft.

Assembly: *Replacement of Existing Aircraft.* Modify provision by exempting three additional DOT-assigned aircraft from the requirement that they be liquidated. Provide an

additional \$87,200 annually for increased Wisconsin Air Services charges associated with the retention of three additional aircraft and decrease estimated GPR-Earned collections from the sale of the aircraft by \$97,900 in 2001-02.

Purchase of Additional Vehicles for State Agencies. Delete \$925,300 in 2001-02 and \$1,207,200 in 2002-03 for the purchase of additional vehicles for state agencies and to pay the associated maintenance, fuel, and insurance costs of these vehicles.

Audit of State Aircraft Use. Request the Joint Legislative Audit Committee to direct the Legislative Audit Bureau to conduct a performance evaluation audit of airplane usage by state agencies. If the LAB performs the audit, request the Bureau to include an evaluation of whether the current number of airplanes owned by the state is appropriate. Provide that if the audit is performed, the LAB would be required to file its report by January 1, 2003.

If the LAB does not initiate an audit by December 1, 2001, direct DOA, DOT and DNR to conduct a joint study of the use of aircraft by state agencies and determine how reductions can be made in the costs associated with that use. If the study is conducted, direct the agencies to report the results to the Legislature's Chief Clerks for distribution to the appropriate standing committees of the Legislature no later than January 1, 2003.

Conference Committee/Legislature: *Replacement of Existing Aircraft.* Modify Assembly provision by requiring DOA to liquidate only two aircraft owned by Wisconsin Air Services. Provide an additional \$472,900 annually for increase maintenance and support costs associated with retention of 16 aircraft in the state's air fleet compared to the Joint Finance provision. Reestimate GPR-Earned receipts by -\$575,200 in 2001-02 to reflect projected proceeds of \$12,400 from the sale of the two aircraft.

Purchase of Additional Vehicles for State Agencies. Delete Assembly provision.

Veto by Governor [E-3]: Delete provision requesting the Legislative Audit Bureau to conduct a performance evaluation of airplane usage, including an evaluation of whether the current number of airplanes used by state agencies is appropriate. Delete the contingent requirement that DOA, DOT and DNR conduct a joint study of aircraft use by state agencies only if the Legislative Audit Bureau does not commence an audit by December 1, 2001. The effect of this partial veto is to require the joint study by the three agencies and the associated report by January 1, 2003.

[Act 16 Sections: 814, 9101(20j) and 9159(3y)]

[Act 16 Vetoed Sections: 9132(3y) and 9159(3y)]

5. DANE COUNTY FLEET

PR	\$680,300
----	-----------

Governor: Provide \$615,100 in 2001-02 and \$65,200 in 2002-03 to enable the Department to undertake a pilot project to purchase the Dane County Parks Department motor fleet and merge it with DOA's central fleet. DOA would then recover its costs through a long-term, exclusive lease-back arrangement with Dane County. Of the amounts provided, one-time funding of \$599,300 in 2001-02 would be used to purchase the 24 vehicles currently owned by the Dane County and on-going funding of \$15,800 in 2001-02 and \$65,200 in 2002-03 would support increased fuel, maintenance, insurance and miscellaneous expenses for the vehicles.

Assembly: Delete provision.

Conference Committee/Legislature: Restore provision.

6. STATE FACILITIES MANAGEMENT -- OPERATIONAL COSTS OF STATE BUILDINGS

PR	\$10,862,800
----	--------------

Governor/Legislature: Provide \$5,139,200 in 2001-02 and \$5,723,600 in 2002-03 for increased maintenance and operations costs of state-owned facilities. Funds would be provided for: (a) \$3,746,000 in 2001-02 and \$4,486,700 in 2002-03 for increased maintenance and operations costs due to the addition of 467,000 square feet of state building space (the new Department of Revenue facility, the Justice Center, the State Capitol underground service area and expansions at the Waukesha and Wisconsin Rapids state office facilities); and (b) \$1,393,200 in 2001-02 and \$1,236,900 in 2002-03 to reflect increases in space rental charges in state-owned facilities due to rising fuel costs. Funding would be provided from fees charged to state agencies for the rental of space in state office buildings.

7. STATE FACILITIES MANAGEMENT -- MADISON PARKING COSTS

PR	\$800,000
----	-----------

Governor/Legislature: Provide \$400,000 annually for anticipated increased maintenance costs associated with state-operated parking facilities in Madison. Increased costs are due to major maintenance work and the additional management functions caused by the new Department of Revenue facility and Justice Center. Funding would be provided from charges assessed to state employees for parking in state-owned parking spaces in Madison.

**8. STATE FACILITIES DEVELOPMENT -- INCREASED
CONSTRUCTION SUPERVISION COSTS**

PR	\$316,800
----	-----------

Governor/Legislature: Provide \$123,700 in 2001-02 and \$193,100 in 2002-03 for increased contract costs for the supervision of a portion of the state building program. The Division of Facilities Development employs private contractors, rather than state employees, to supervise some of the state's construction projects. The revenue source to support these increased expenditures would come from project supervision assessments included in the budgets of the approved building projects.

**9. STATE FINANCIAL SERVICES - WISMART AND PAYROLL
SYSTEM MASTER LEASE COSTS**

PR	- \$1,200,000
----	---------------

Governor/Legislature: Provide a net reduction of \$600,000 annually to reflect adjustments associated with the retirement during 2001-02 of the master lease debt incurred for the purchase and installation of WISMART (the state accounting system) and an upgrade of the centralized payroll system. Under these changes, base level funding of \$1,179,700 in 2001-02 and \$1,210,200 in 2002-03 currently budgeted in unallotted reserve for master lease payments for these systems would be deleted. The deletion of \$1,210,200 in 2002-03 would eliminate all remaining funding in unallotted reserve for these purposes. Provide off-setting increases of \$579,700 in 2001-02 and \$610,200 in 2002-03 to reflect the costs of programming, mailing and the purchase and installation of a new WISMART system release.

**10. RISK MANAGEMENT PROGRAMS -- CLAIMS PAYMENTS
REESTIMATE**

PR	\$195,000
----	-----------

Governor/Legislature: Provide an adjustment to estimated risk management claims payments of -\$300,000 in 2001-02 and \$495,000 in 2002-03. The total adjustments reflect the following individual risk management program changes: (a) \$445,000 in 2001-02 and \$620,000 in 2002-03 to increase total estimated property claims payments to \$3,445,000 in 2001-02 and \$3,620,000 in 2002-03; (b) -\$1,000,000 in 2001-02 and -\$800,000 in 2002-03 to decrease total estimated liability claims payments to \$5,600,000 in 2001-02 and \$5,800,000 in 2002-03; and (c) \$255,000 in 2001-02 and \$675,000 in 2002-03 to increase total estimated worker's compensation claims payments to \$10,780,000 in 2001-02 and \$11,200,000 in 2002-03. Maintain the current base funding level of \$275,000 annually for claims payments associated with hazardous waste cleanups. Funding for these recommended changes would be provided from charges assessed to state agencies for the operation of the state's self-funded risk management program.

11. DOA AND UW-MADISON FLEET MAINTENANCE CONSOLIDATION

Assembly/Legislature: Require the transfer of UW-Madison vehicle fleet maintenance functions to DOA on the general effective date of the biennial budget act. Direct that all of the following relating to the UW-Madison vehicle fleet maintenance operations, as determined by the Secretary of the DOA, be transferred to DOA: (a) assets and liabilities; (b) tangible personal property, including records; (c) pending contracts; and (d) rules, orders and pending matters. Direct the Department to carry out any contractual obligations until such contracts are modified or rescinded by the DOA to the extent allowed under the contract.

A total of \$151,000 GPR and 3.0 GPR positions annually would be eliminated under the University of Wisconsin System to reflect efficiencies arising from this consolidation. The fiscal effect of this consolidation is shown under that agency.

Require the Board of Regents of the UW-System to submit information in the System's 2003-05 budget request that reflects any savings incurred from consolidation of vehicle fleet maintenance functions as a result of this provision. Require the Board of Regents to fully cooperate with the DOA in implementing this consolidation.

Veto by Governor [E-4]: Delete provision.

[Act 16 Vetoes Section: 9156(3s)]

12. PURCHASING CARD REBATES

Assembly/Legislature: Authorize any state agency to use purchasing cards for procurements of less than \$5,000. If an agency receives a rebate as a result of using a purchasing card, direct DOA to deposit the rebate to the fund from which the appropriation is made for the payment of the purchase obligation. Direct the Secretary of DOA to determine the amount of rebates already received by state agencies before the effective date of this provision and deposit the amounts during 2001-02 to the general fund and to the appropriate segregated fund. It is estimated that this provision will result in a lapse to the general fund of \$438,900 in 2001-02 and \$181,000 in 2002-03.

Veto by Governor [E-7]: Delete provision.

[Act 16 Vetoes Sections: 227q and 9101(19r)]

13. PURCHASING CLEARINGHOUSE FOR LOCAL GOVERNMENTS

Assembly/Legislature: Require the Department to administer a program to facilitate purchases of large equipment by municipalities. Direct the Department to purchase large equipment as part of this program. Authorize the Department to promulgate rules governing

general participation in the program and the manner of making specific purchases under the program.

[Act 16 Section: 282m]

14. STATE PROCUREMENT LAW MODIFICATIONS

Conference Committee/Legislature: Modify the statutes related to state procurement laws as follows:

Subscription Service. Authorize DOA to permit prospective vendors to provide product or service information through the current law vendor subscription service. Specify that DOA may prescribe fees or establish fees through a competitive process for the use of the service. Specify that any fee collected by DOA would be deposited to the existing segregated VendorNet Fund. The current subscription service provides potential vendors with information of interest concerning state procurement opportunities. If DOA provides the service, it must assist small businesses that are prospective vendors in accessing and using the service by providing facilities or services to the businesses. DOA may currently charge a fee for the subscription service and is required to prescribe the amount of any fee by rule.

Bidders List. Specify that any agency to which DOA delegates purchasing authority may maintain a bidders list only if authorized under the authority delegated from the Department. Under current law, DOA or any agency to which DOA delegates purchasing authority may maintain a bidders list. Current law specifies that a bidders list include the names and addresses of all persons who request to be notified of bids or competitive sealed proposals solicited by DOA or another agency for the procurement of materials, supplies, equipment or contractual services. Any list maintained by DOA may include the names and addresses of any person who requests to be notified of bids or competitive sealed proposals to be solicited by any agency. DOA or another agency is required to notify each person on its list of all requests for bids or competitive sealed proposals by DOA or the agency.

Procurement Solicitation by Electronic Auction. Specify that when the estimated procurement costs exceed \$25,000, DOA is required to invite bids to be submitted. Current law would continue to authorize the Governor or the Secretary of DOA to waive this requirement, if it was deemed to be in the state's best interest to do so. Specify that DOA either solicit sealed bids to be opened publicly at a specified date and time, or solicit bidding by auction to be conducted electronically at a specified date and time. Whenever bids are invited, require that due notice inviting bids be published as a Class 2 notice (current law) or newly provide that the notice be posted on the internet. Require the bid opening or auction to occur at least seven days after the date of the last insertion of the notice or at least seven days after the date of posting on the internet. Require that any notice specify whether sealed bids are invited or bids will be accepted by auction, and give a clear description of the materials, supplies, equipment or contractual services to be purchased, the amount of any bond, share draft, check or other draft

to be submitted as surety with the bid or prior to the auction, and the date and time that the public opening or the auction will be held. Specify that if bids are solicited by auction, the award may be made in accordance with simplified competitive procedures established by DOA for such transactions.

Specify that when the estimated cost exceeds \$25,000, DOA may invite competitive sealed proposals (if sealed bids are not practicable or advantageous) by publishing a Class 2 notice or by posting notice on the internet at a site determined or approved by the Department. Specify that the notice must describe the materials, supplies, equipment, or contractual services to be purchased, the intent to make the procurement by solicitation of proposals rather than by solicitation of bids, any requirement for surety and the date the proposals will be opened, which must be at least seven days after the date of the last insertion of the notice or at least seven days after the date of posting on the internet.

Require that DOA either publish a Class 2 notice (current law) or newly authorize DOA to post a notice on the internet at a site determined or approved by DOA when the Secretary of DOA, with the approval of the Governor, waives the procurement laws and allows a purchase from a private source that is expected to exceed \$25,000. Specify that the date on which the contract or purchase is made must be at least seven days after the last date of insertion of a notice or the date of posting on the internet.

Electronic Procurement and Commerce Activities. Create a nonstatutory provision requiring DOA to report to the Governor and the Co-chairs of the Joint Committee on Finance concerning the status of the electronic procurement and commerce activities of DOA. Require that DOA include in the report an assessment of the costs and benefits of those activities for the 2002-03 fiscal year and an assessment of the effectiveness of state executive branch agencies in increasing the volume of those activities.

[Act 16 Sections: 270 thru 272, 286 thru 290, 295, 1132 and 9101(14)]

Attached Programs

1. REPEAL OF THE WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION AND THE DISTRIBUTION OF PROCEEDS [LFB Paper 146]

Governor: Repeal all statutory provisions relating to the Wisconsin Advanced Telecommunications Foundation (WATF), including the authority of the Governor to authorize the participation of the state in the WATF. Delete all references to the characteristics of the WATF, including the elimination of the requirement that it have a business plan in place that anticipates the development of an endowment fund of at least \$25,500,000 after seven years and

a "fast start" fund containing direct or in-kind contributions of at least \$15,000,000 by January 1, 2002.

Repeal provisions under the Public Service Commission governing the following: (a) when determining whether or not a telecommunications utility should be granted partial deregulation by the Commission, the extent to which the utility has contributed to the WATF; (b) the requirement that within 60 days of a telecommunications utility becoming a partially deregulated ("price-regulated") utility, the requirement that it indicate the level of the utility's planned contributions to the WATF; and (c) in determining whether to impose penalty assessments or incentive adjustments to the rates charged by a price-regulated telecommunications utility, the requirement that the Commission consider the extent to which the utility has contributed to the WATF. Repeal a requirement that the Commission's annual report on the operation of the Universal Service Fund also include an identification of the impact of assistance provided by the WATF. Delete the authority of the TEACH Board to contract with the WATF.

Specify that if the Secretary of DOA determines that the WATF has donated the unencumbered balances of its endowment funds to the Department (to be deposited in the agency's gifts, grants and bequests appropriation) the following transfers would be made from that appropriation to the following agencies for the purposes indicated. As appropriate, revise agency appropriations, powers and duties to enable them to expend the funds transferred for the purposes indicated. [The fiscal effects of these transfers are identified under each affected agency.]

Wisconsin Advanced Telecommunications Foundation Transfers

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1. Commerce	\$1,500,000	\$0	Fund grants to UW-Milwaukee, UW-Parkside, Marquette University, the Milwaukee School of Engineering and the Medical College of Wisconsin for research related to emerging technologies to promote industrial and economic development in southeastern Wisconsin.
2. Higher Educational Aids Board	88,300	80,000	Upgrade agency information technology.
3. Public Instruction	579,000	0	Support Wisconsin Informational Network for School Success (DPI's School Report Card).
4. Public Instruction	77,800	0	Upgrade state school finance information system.
5. Public Instruction	526,000	0	Fund assistive technology devices and related software programs at the Wisconsin Center for the Blind and Visually Impaired and regional satellite facilities including network upgrades.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
6. Public Instruction	\$161,600	\$0	Replace automated system at the Wisconsin Regional Library for the Blind and Physically Handicapped.
7. Public Instruction	500,000	0	Make a grant to the National Geographic Society Education Foundation for a geographical education program.
8. TEACH Board	68,100	68,100	Fund administrative and support services to conclude outstanding WATF business including duties related state administration of the federal Universal Service Fund.
9. TEACH Board	566,200	0	Close out existing grants made by the WATF.
10. Technical College System	1,000,000	1,000,000	Develop and establish Internet courses for the WTCS.
11. University of Wisconsin System	1,000,000	0	Fund the Wisconsin Advanced Distributed Co-laboratory.
12. University of Wisconsin System	250,000	0	Establish a not-for-profit organization (UW Learning Innovations) by the UW-Extension to establish distance education classrooms in Wisconsin trade offices abroad and to offer UW System distance education courses from those classrooms.
13. University of Wisconsin System	3,000,000	0	Fund activities of the UW Learning Innovations at the UW-Extension.
14. University of Wisconsin System	500,000	0	Develop wireless networking systems that allow students to use laptop computers and docking stations to connect to the Internet.
15. University of Wisconsin System	2,000,000	0	Fund "Internet 2" project to upgrade technology infrastructures on campuses for enhancing high-speed Internet activity.
16. University of Wisconsin System	500,000	0	Purchase a digital mammography machine for the UW-Madison Medical School.
Total	<u>\$12,317,000</u>	<u>\$1,148,100</u>	

The WATF Board has proposed to dissolve the Foundation and distribute the corpus of its endowment as a gift to DOA. Upon receipt, the gift would be credited to the agency's gifts, grants and bequests appropriation, and all of the transfers indicated above would be made from that appropriation to the appropriate appropriation under the agency receiving the allocation. The amount of the gift that would be credited to the DOA gifts, grants and bequests appropriation is estimated at \$21,760,000 PR-REV. The appropriation is a PR continuing

appropriation that allows the expenditures of all monies received for the purposes for which the gift is provided. No expenditure reestimate is included in the bill for this appropriation.

The proposed transfers to other agencies would total \$13,465,100 PR during the biennium, leaving an unobligated balance of \$8,294,900 PR remaining in the appropriation.

Joint Finance: Include a nonstatutory provision specifying that if the WATF Board dissolves and distributes some or all of its assets to the state, the funds would be credited to a new Joint Committee on Finance supplemental appropriation for this purpose under Program Supplements. The amounts credited would be transferred to fund the 16 recommended agency projects described above. If insufficient funds were received to fund all 16 projects, the Committee would be required to allocate the available amounts among the projects.

Modify the TEACH Board's powers and duties to specify that it would have the authority to administer, modify, close-out or rescind, to the extent allowed by an outstanding contract, any of the grants and awards made by the former WATF Board relating to: (a) the establishment of a clearinghouse that matches potential grantees with funding sources; (b) the demonstration of cooperative applications between different telecommunication users or between users and providers; (c) the promotion of the effective use of telecommunications infrastructure; (d) the education of telecommunication users about advanced telecommunications technologies, applications and alternatives and the associated effects on privacy; and (e) the development of systems or procedures that assist individuals in applying information, produced by advanced telecommunications and other information technologies, to increase knowledge.

Create a PR appropriation to fund block grants to school districts under the TEACH Board, which would receive any monies received in excess of \$13,465,100. Specify that any expenditures under this appropriation would offset GPR expenditures under the TEACH block grant program, so that an equal amount of GPR would lapse to the general fund.

Senate: Modify Joint Finance provision by deleting funding for the following initiatives: (a) \$250,000 in 2001-02 for establishing a not-for profit organization (UW Learning Initiatives) by the UW Extension; (b) \$500,000 in 2001-02 to develop a wireless networking system for the UW System; and (c) \$88,300 in 2001-02 and \$80,000 in 2002-03 for HEAB to upgrade agency information technology.

The proposed transfer to other agencies would total \$12,546,800 during the biennium with any additional monies received being used to offset GPR expenditures under the TEACH block grant program. The following table summarizes the WATF transfers under the Senate proposal.

Wisconsin Advanced Telecommunications Foundation Transfers

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1. Commerce	\$1,500,000	\$0	Fund grants to UW-Milwaukee, UW-Parkside, Marquette University, the Milwaukee School of Engineering and the Medical College of Wisconsin for research related to emerging technologies to promote industrial and economic development in southeastern Wisconsin.
2. Public Instruction	579,000	0	Support Wisconsin Informational Network for School Success (DPI's School Report Card).
3. Public Instruction	77,800	0	Upgrade state school finance information system.
4. Public Instruction	526,000	0	Fund assistive technology devices and related software programs at the Wisconsin Center for the Blind and Visually Impaired and regional satellite facilities including network upgrades.
5. Public Instruction	161,600	0	Replace automated system at the Wisconsin Regional Library for the Blind and Physically Handicapped.
6. Public Instruction	500,000	0	Make a grant to the National Geographic Society Education Foundation for a geographical education program.
7. TEACH Board	68,100	68,100	Fund administrative and support services to conclude outstanding WATF business including duties related state administration of the federal Universal Service Fund.
8. TEACH Board	566,200	0	Close out existing grants made by the WATF.
9. Technical College System	1,000,000	1,000,000	Develop and establish Internet courses for the WTCS.
10. University of Wisconsin System	1,000,000	\$0	Fund the Wisconsin Advanced Distributed Co-laboratory.
11. University of Wisconsin System	3,000,000	0	Fund activities of the UW Learning Innovations at the UW-Extension.
12. University of Wisconsin System	2,000,000	0	Fund "Internet 2" project to upgrade technology infrastructures on campuses for enhancing high-speed Internet activity.
13. University of Wisconsin System	500,000	0	Purchase a digital mammography machine for the UW-Madison Medical School.
Total	<u>\$11,478,700</u>	<u>\$1,068,100</u>	

Assembly/Legislature: Modify Joint Finance provision by deleting funding for the following initiatives: (a) \$88,300 in 2001-02 and \$80,000 in 2002-03 for HEAB to upgrade agency information technology; (b) \$250,000 in 2001-02 for establishing a not-for-profit organization (UW Learning Innovations) by the UW-Extension; (c) \$1,000,000 annually for the Technical College System to develop and establish internet courses; (d) \$1,000,000 in 2001-02 for the UW System to fund the Wisconsin Advanced Distributed Colaboratory; (e) \$3,000,000 in 2001-02 to fund activities of the UW Learning Innovations at the UW-Extension; and (f) \$2,000,000 in 2001-02 for the UW System to fund the "Internet 2" project to upgrade technology infrastructures on campuses; and (g) \$500,000 in 2001-02 to the UW System to develop a wireless networking system. Finally, reduce funding for the Teach Board to close out existing grants made by the WATF by \$67,100 in 2001-02 to \$499,100.

The proposed transfers to other agencies would total \$4,479,700 during the biennium, with any additional monies received being used to offset GPR expenditures under the TEACH block grant program. The following table summarizes the WATF transfers as recommended by the Legislature.

Wisconsin Advanced Telecommunications Foundation Transfers

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1. Commerce	\$1,500,000	\$0	Fund grants to UW-Milwaukee, UW-Parkside, Marquette University, the Milwaukee School of Engineering and the Medical College of Wisconsin for research related to emerging technologies to promote industrial and economic development in southeastern Wisconsin.
2. Public Instruction	\$579,000	\$0	Support Wisconsin Informational Network for School Success (DPI's School Report Card).
3. Public Instruction	77,800	0	Upgrade state school finance information system.
4. Public Instruction	526,000	0	Fund assistive technology devices and related software programs at the Wisconsin Center for the Blind and Visually Impaired and regional satellite facilities including network upgrades.
5. Public Instruction	161,600	0	Replace automated system at the Wisconsin Regional Library for the Blind and Physically Handicapped.
6. Public Instruction	500,000	0	Make a grant to the National Geographic Society Education Foundation for a geographical education program.
7. TEACH Board	68,100	68,100	Fund administrative and support services to conclude outstanding WATF business including duties related state administration of the federal Universal Service Fund.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
8. TEACH Board	\$499,100	\$0	Close out existing grants made by the WATF.
9. University of Wisconsin System	500,000	0	Purchase a digital mammography machine for the UW-Madison Medical School.
Total	<u>\$4,411,600</u>	<u>\$68,100</u>	

[Act 16 Sections: 122, 457, 481, 562, 570, 571, 1420, 2622, 2625, 2979, 2980, 2981, 2984, 9101(10) and 9132(3x)]

2. BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY [LFB Paper 145]

	Governor		Jt. Finance/Leg.		Net Change	
	(Chg. to Base)		(Chg. to Gov)			
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	\$11,811,500	15.60	-\$11,811,500	- 15.60	\$0	0.00

Governor: Create a five-member Board of Education Evaluation and Assessment, attached administratively to the Department. Specify that the members of the Board would serve four-year terms. Under current law, the members of the Board would be appointed by the Governor. Senate confirmation would not be required. Require that at least one member be experienced in education evaluation and assessment. Require that two of the initial members of the Board serve for terms expiring on May 1, 2003, and three of the initial members serve for terms expiring on May 1, 2005. Require the Board to appoint an executive director to serve at its pleasure. Specify that the executive director would be part of the unclassified service and would be assigned to executive salary group 3.

Create an appropriation under the Department to fund the general program operations of the Board. Provide \$11,811,500 and 15.60 positions in 2002-03 for this purpose. Of the positions authorized, 1.0 FTE would be an unclassified position, 10.60 FTE would be permanent positions and 4.0 FTE would be project positions. An offsetting funding and position reduction would be made in 2002-03 under DPI to reflect the transfer of pupil assessment and related functions from that Department to DOA.

Require the Board to administer the pupil assessment program, currently administered by DPI. Require the Board, rather than DPI, to develop standardized reading tests, compile school performance reports and identify low-performing schools. Authorize the Board to conduct a longitudinal study of the Milwaukee parental choice program. [For a detailed description of the duties and responsibilities shifted from DPI to the new Board, see "Public Instruction -- Assessments and Licensing."]

Provide that the establishment of the Board's powers and duties and the transfer of functions from DPI would take effect on July 1, 2002. Include a nonstatutory provision transferring from DPI to DOA all assets and liabilities, tangible personal property, records and contracts, rules and orders and pending matters relating to the transferred functions. Transfer the incumbent employees in DPI associated with these functions and specify that: (a) all persons transferred retain the same rights and employee status they held prior to the transfer; and (b) no employee who has attained permanent status in his or her classified position could be required to serve a new probationary period.

Joint Finance/Legislature: Delete provision.

**3. TRANSFER OF THE CAPACITY GRANT PROGRAM TO THE
WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD [LFB
Paper 1011]**

GPR	- \$10,000,000
-----	----------------

Governor/Legislature: Transfer the capacity building grant program and \$5,000,000 annually of base level funding from the Department to the Wisconsin Technical College System (WTCS) Board.

Provide that on the general effective date of the biennial budget act all contracts, rules and pending matters would be transferred from DOA to WTCS. Provide that all contracts that were in effect that are primarily related to the program, as determined by the Secretary of DOA, would remain in effect until their specified expiration date or until they were rescinded or modified by the WTCS Board to the extent allowed under the contract. Specify that all rules promulgated by DOA that are primarily related to the program, as determined by the Secretary of DOA, would remain in effect until their specified expiration date or until they were amended or repealed by the WTCS Board. Provide that pending matters that are primarily related to the program, as determined by the Secretary of DOA, are transferred to the WTCS Board, and all material submitted to DOA and actions taken by DOA concerning the pending matter would be considered as having been submitted to or been taken by the WTCS Board. Provide that all tangible personal property, including records, pertaining to the administration of the program as determined by the Secretary of DOA would be transferred to the WTCS Board.

This program was created in 1999 Act 9 under DOA to provide funds to WTCS districts to develop or expand programs in occupational areas of high demand.

[Act 16 Sections: 193, 842, 1375 and 9101(12)]

4. TRANSFER OF THE NATIONAL AND COMMUNITY SERVICE BOARD TO THE DEPARTMENT OF WORKFORCE DEVELOPMENT [LFB Paper 1025]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
FED	-\$7,386,300	- 3.00	\$7,475,400	4.00	\$89,100	1.00
PR	0	0.00	159,600	1.00	159,600	1.00
Total	-\$7,386,300	- 3.00	\$7,635,000	5.00	\$248,700	2.00

Governor: Delete \$3,694,900 FED in 2001-02 and \$3,691,400 FED in 2002-03 and 3.0 FED positions annually to reflect the transfer of the National Community Service Board and its functions to the Department of Workforce Development (DWD).

Specify that assets and liabilities, 3.0 FTE incumbent employees, tangible personal property, including records, and contracts primarily related to the functions of the National and Community Service Board, as determined by the Secretary of Administration, would be transferred from DOA to DWD on the general effective date of the biennial budget act. All employees transferred from DOA to DWD would have the same rights and status that they had in DOA, and would not have to serve a probationary period.

Under current law, the 16-member state National and Community Service Board is responsible for: (a) developing and updating a plan for the provision of national service programs in the state; (b) preparing applications for financial assistance from the federal Corporation for National Service; (c) providing technical assistance to persons applying for financial assistance who plan to implement a national service program; (d) assisting in providing health and child care for participants; (e) providing a system of recruitment and placement of participants in programs and sharing information concerning service programs to the public; (f) on request, providing training and materials to programs; (g) distributing funds made available by the Corporation, giving priority to persons providing youth programs; and (h) providing oversight and evaluation to the programs funded.

The Board receives federal funding for staff, administration and for two service programs: AmeriCorps and Learn and Serve America Community-Based Program. The AmeriCorps program provides education awards to individuals in exchange for a year of community service. Community service can include tutoring and mentoring children, coordinating after-school programs, building homes, organizing neighborhood watch groups, cleaning parks, and other community improvement activities. The Learn and Serve America Community-Based program provides grants to schools, colleges, and community organizations for service-learning that assist youth in performing community service activities, while improving academic skills and learning the habits of good citizenship.

The Board and its programs were transferred to DOA from the Department of Health and Family Services by 1999 Wisconsin Act 9.

The Executive Budget Book indicates that the Operation Fresh Start program in DOA's Division of Housing and Intergovernmental Relations would also be transferred to DWD. There is no funding or statutory language change associated with this transfer.

Joint Finance/Legislature: Delete provision thereby retaining the Board under DOA. Transfer 1.0 PR position and \$79,800 PR annually to support NCSB activities from DHFS to DOA and create an appropriation for this purpose. Provide \$41,800 FED in 2001-02 and \$47,300 FED in 2002-03 and 1.0 FED position for the NCSB.

[Act 16 Section: 846m]

5. SASI INITIATIVE -- ATTACHED PROGRAMS

Governor/Legislature: Provide \$83,400 GPR, \$24,400 FED and \$17,800 PR annually to various commissions, divisions, offices, boards and councils attached to DOA for basic desktop information technology support as part of a small agency support infrastructure (SASI) program. This support is currently provided to small agencies by the Department. The proposed funding would support DOA user fee charges of \$2,200 per year for each user account (less any available base level funding) and new BadgerNet connections. The services supported at DOA include desktop applications and hardware; continuous help desk support; network infrastructure and security; centralized data storage, backup and disaster recovery; dialup service; and E-mail/messaging services.

GPR	\$166,800
FED	48,800
PR	<u>35,600</u>
Total	\$251,200

The following attached entities would be supported under the SASI initiative: (a) Tax Appeals Commission (\$27,300 GPR annually); (b) Division of Hearings and Appeals (\$36,000 GPR and \$12,100 PR annually); (c) Office of Justice Assistance (\$9,800 GPR, \$24,400 FED and \$3,000 PR annually); (d) Waste Facilities Siting Board (\$2,700 PR annually); and (e) Wisconsin Women's Council (\$10,300 GPR annually).

6. DIVISION OF HEARINGS AND APPEALS -- STAFFING INCREASES

Governor/Legislature: Provide \$114,500 in 2001-02 and \$129,000 in 2002-03 and 2.0 positions annually to enable the Division of Hearings and Appeals to conduct administrative hearings for other state agencies. The increases would include: (a) \$80,700 in 2001-02 and \$88,600 in 2002-03 and 1.5 positions (1.0 attorney and 0.5 program assistant) to provide examiner services on benefits appeals cases for the Department of Employee Trust Funds (ETF); and (b) \$33,800 in 2001-02 and \$40,400 in 2002-03 and 0.5 attorney position annually to address an increasing volume of special education due process hearings for the Department of Public Instruction (DPI). The revenues for these increased expenditures would come from charge-backs to ETF and DPI for the cost of the hearing services provided.

	Funding	Positions
PR	\$243,500	2.00

7. LIMITED PURPOSE ATTACHMENT OF THE ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD TO THE DEPARTMENT

Governor/Legislature: On the general effective date of the biennial budget act, attach the Adolescent Pregnancy Prevention and Pregnancy Services Board for limited administrative purposes to the Department, rather than the Department of Health and Family Services (DHFS). Transfer all assets, liabilities and tangible personal property that are primarily related to the Board from DHFS to DOA. The Board would retain its separate appropriations structure; consequently, there would be no fiscal effect on DOA as a result of this transfer.

[Act 16 Sections: 174, 844, 1569 and 9123(4)]

8. OFFICE OF FAITH-BASED CRIME PREVENTION INITIATIVES

Assembly: Direct the Office of Justice Assistance (OJA) to allocate \$67,600 in 2001-02 and \$77,400 in 2002-03 in federal Byrne anti-drug enforcement program grant money and matching penalty assessment funds for a newly-created Office of Faith-Based Crime Prevention Initiative, to be attached to DOA, and reduce the amount of Byrne funds to be allocated to a misdemeanor offender diversion program by \$145,000 in 2002-03. In OJA, transfer \$50,700 FED and \$16,900 PR from 2002-03 to 2001-02.

Provide \$67,600 PR in 2001-02 and \$77,400 PR in 2002-03 and 1.0 PR executive director project position annually for the Office of Faith-Based Crime Prevention Initiatives and create an appropriation under DOA to receive the funds. Provide that the executive director be nominated by the Governor and appointed, with the advice and consent of the Senate, to serve at the pleasure of the Governor. Provide that the executive director may not have any of the following types of involvement with a faith-based organization: be a member of its board of directors, be involved in its governance or control, or be an employee if it is eligible for state or county contracts or grants. Provide that the executive director must have experience relevant to the operation of nonprofit organizations or state or local government and must have a demonstrated understanding of state and federal laws regarding nondiscrimination against religious organizations.

Require the Office of Faith-Based Crime Prevention Initiatives to do all of the following to assist in the implementation of federal and state laws regarding nondiscrimination against religious organizations in the provision of government services: (a) act as a clearinghouse for and provide information to faith-based organizations on opportunities to provide government services related to drug control and crime prevention; (b) assist state and local governments in using the services of faith-based organizations to address violent crimes, crimes and other matters involving controlled substances, and other serious crimes; and (c) compile and provide to the public information on government drug control and crime prevention services available through faith-based organizations.

Specify that all of these provisions, including funding and position allocation, would be repealed effective July 1, 2004.

Conference Committee/Legislature: Delete provision.

Division of Gaming

1. TRIBAL GAMING REVENUE ALLOCATIONS [LFB Paper 166]

Governor: Allocate, from the Indian gaming receipts appropriation in DOA, \$26,268,800 PR in 2001-02 and \$27,598,500 PR in 2002-03 for a variety of purposes (not including regulation and enforcement of Indian gaming). Under current law, the Indian gaming receipts program revenue appropriation in DOA receives all state receipts relating to Indian gaming, less the amounts appropriated to DOA for general program operations relating to Indian gaming and the Department of Justice for Indian gaming law enforcement. The revenue derives primarily from tribal payments to the state under the amended state-tribal gaming compacts. Under the amendments, signed in 1998 and 1999, each tribe makes additional annual payments to the state, not required under the original compacts, over a five-year period. The amounts vary by tribe and reflect the variation in total net revenue among the tribes. The additional revenue provided to the state totaled \$21.5 million in 1999-00 and the amounts due total \$24.0 million in 2000-01 and 2001-02, and \$24.5 million in 2002-03. While the allocations proposed under the bill exceed projected revenues in both 2001-02 and 2002-03, the Governor estimates a positive closing balance in the Indian gaming receipts appropriation due to: (a) the 2001-02 opening balance in the appropriation; and (b) a proposal under the bill to have unencumbered balances from the various tribal gaming revenue appropriations revert to the Indian gaming receipts appropriation (see Item #2 below).

Eight of the 11 amended agreements contain government-to-government memoranda of understanding (MOU) relating to the use of the additional payments. While the MOU have some significant differences, their most important common element is a provision that the Governor must undertake his best efforts, within the scope of his authority, to assure that monies paid to the state under the agreements are expended for specific purposes. In most of the MOU, the specified purposes include: (a) economic development initiatives to benefit tribes and/or American Indians within Wisconsin; (b) economic development initiatives in regions around casinos; (c) promotion of tourism within the state; and (d) support of programs and services of the county in which the tribe is located. Several of the MOU add a fifth purpose relating to either law enforcement or public safety initiatives on the reservations.

Under the bill, the Governor recommends the allocation of tribal gaming revenues to 14 state agencies in 43 program areas. These allocations are listed in the following table. Footnotes are provided to further clarify the characteristics of each allocation. In most cases, the

allocations represent continued funding with tribal gaming revenue of programs approved in the 1999-01 biennium. Nine allocations (items 2, 7, 9, 10, 23, 24, 26, 30 and 37) are for new purposes not previously funded with tribal gaming revenue. In three instances (items 23, 26 and 37), one-time funding is provided under the bill. Two technical corrections are needed to address the following: (a) for item 17, the tribal gaming appropriation language does not reflect the correct fiscal years or amounts; and (b) for item number 21, an annual appropriation is mistakenly identified in the Chapter 20 schedule as a continuing appropriation.

Tribal Gaming Revenue Allocations -- Governor

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1 Administration--Office of Justice Assistance ¹	\$2,008,400	\$2,008,400	County-tribal and tribal law enforcement assistance grants.
2 Agriculture, Trade and Consumer Protection ²	325,000	485,000	Agricultural development and diversification grants.
3 Arts Board ³	25,200	25,200	Grants-in-aid to, or contracts with, American Indian individuals or groups for services furthering the development of the arts and humanities.
4 Commerce ³	25,000	25,000	American Indian liaison, economic development liaison grants and technical assistance.
5 Commerce ¹	199,500	199,500	American Indian economic liaison and gaming grants specialist and program marketing.
6 Commerce ¹	\$90,000	\$94,000	American Indian economic development technical assistance grants.
7 Commerce ²	300,000	300,000	Business employees' skills training grants.
8 Commerce ¹	2,388,700	3,388,700	Gaming economic development and diversification grants and loans.
9 Commerce ²	100,000	200,000	Aids to Forward Wisconsin, Inc., for business recruitment.
10 Commerce ²	1,000,000	1,000,000	Manufacturing extension center grants.
11 Commerce ¹	428,700	468,700	Physician and Dentist Loan Assistance Program and Health Care Provider Loan Assistance Program and a related contract.
12 Health and Family Services ³	500,000	500,000	Elderly nutrition; home-delivered and congregate meals.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
13 Health and Family Services ³	\$250,000	\$250,000	Compulsive gambling awareness campaign grants.
14 Health and Family Services ³	120,000	120,000	Cooperative American Indian health projects.
16 Health and Family Services ³	500,000	500,000	Indian substance abuse prevention education.
17 Health and Family Services ³	1,070,000	1,070,000	Medical assistance matching funds for tribal outreach positions and federally qualified health centers (FQHC).
18 Health and Family Services ³	800,000	800,000	Health services: tribal medical relief block grants.
19 Higher Education Aids Board ¹	779,800	787,600	Indian student assistance grant program for American Indian undergraduate or graduate students.
20 Higher Education Aids Board ¹	400,000	404,000	Wisconsin Higher Education Grant (WHEG) program for tribal college students.
21 Historical Society ³	189,800	189,800	Northern Great Lakes Center operations funding.
22 Natural Resources ⁴	2,500,000	2,500,000	Transfer to the fish and wildlife account of the conservation fund.
23 Natural Resources ⁵	1,000,000	718,000	One-time transfer to the parks account of the conservation fund.
24 Natural Resources ²	166,000	157,900	Deer population management.
25 Natural Resources ¹	200,600	200,600	Management of an elk reintroduction program.
26 Natural Resources ⁵	500,000	2,500,000	One-time transfer to the environmental fund for brownfields efforts.
27 Natural Resources ³	114,500	114,500	Management of state fishery resources in off-reservation areas where tribes have treaty-based rights to fish.
28 Natural Resources ³	100,000	100,000	Payment to the Lac du Flambeau Band relating to certain fishing and sports licenses.
29 Natural Resources ³	120,000	120,000	Nonpoint grants and local assistance to the Oneida Nation.
30 Natural Resources ²	100,000	100,000	Law enforcement aids to counties for snowmobile enforcement.
31 Natural Resources ³	813,900	817,900	State snowmobile enforcement program, safety training and fatality reporting.
32 Natural Resources ³	44,700	44,700	Reintroduction of whooping cranes.
33 Public Instruction ¹	220,000	220,000	Aid to alternative schools operating American Indian language and culture education programs.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
34 Shared Revenue ³	\$0	\$0	Farmland tax relief credit payments by tribes with casinos associated with certain pari-mutuel racetracks. No allocations would be made in the 2001-03 biennium.
35 Tourism ¹	126,500	126,500	Tourist information assistant.
36 Tourism ³	3,969,500	3,969,500	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
37 Transportation ²	3,500,000	1,500,000	One-time funding for grants to the City of Milwaukee for the reconstruction of West Canal Street.
38 University of Wisconsin System ³	0	0	Ashland full-scale aquaculture demonstration facility debt service payments. (No funding is provided in the 2001-03 biennium.)
39 University of Wisconsin System ¹	0	300,000	Ashland full-scale aquaculture demonstration facility operational costs.
40 Veterans Affairs ¹	15,000	15,000	Grants to assist American Indians in obtaining federal and state veterans benefits.
41 Veterans Affairs ³	56,400	56,400	American Indian services veterans benefits coordinator position.
42 Workforce Development ³	600,000	600,000	Work-Based Learning Board grants for work-based learning programs.
43 Workforce Development ³	<u>350,000</u>	<u>350,000</u>	Vocational rehabilitation services for Native American individuals and American Indian tribes or bands.
Total Allocations	\$26,268,800	\$27,598,500	

¹Base funding is modified under the bill and a more detailed description of the provision can be found in the budget summaries for this agency.

²Allocates revenue for a new purpose, not previously funded from tribal gaming revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

³Base funding is unchanged or modified by standard budget adjustments only. No additional description of the item is provided in the budget summaries for this agency.

⁴Same annual transfer amount as provided in the 1999-01 biennium. No additional description of the item is provided in the budget summaries for this agency.

⁵New, one-time transfer of revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

Joint Finance: Allocate \$26,208,700 PR in 2001-02 and \$25,733,000 PR from tribal gaming revenue. These allocations total \$60,100 less in 2001-02 and \$1,865,500 less in 2002-03 than the allocations under the bill. Under the Joint Finance provisions, the Indian gaming receipts

appropriation would have an estimated balance of \$260,400 on June 30, 2003. Modify the Governor's recommendations as follows:

1. *Administration: Management Assistance Grant Program* [LFB Paper #168]. Place \$500,000 annually in the PR appropriation of the Joint Committee on Finance to be transferred under s. 13.10 to the management assistance grant program appropriation upon request by DOA and a finding that a county has met the eligibility criteria of the grant program.

2. *Administration: County, County-Tribal and Tribal Law Enforcement Grant Programs* [LFB Paper #169]. Maintain current law, which would: (a) provide \$63,600 and 1.0 PR position annually and maintain the cooperative county-tribal law enforcement program in DOJ; (b) maintain OJA's county law enforcement services grant program; and (c) maintain OJA's tribal law enforcement assistance program. In addition, technically correct the county law enforcement services appropriation funding source designation. (Funding would remain at \$708,400 annually for county-tribal grants under DOJ, \$250,000 annually for OJA's county grant program and \$1,050,000 annually for OJA's tribal grant program.)

3. *Administration: UW-Green Bay/Oneida Tribe Programs*. Provide \$250,000 in each year of the biennium to the Department of Administration to fund programs at the UW-Green Bay which have been jointly developed by the Oneida Tribe and the UW-Green Bay.

4. *Agriculture, Trade and Consumer Protection: Agricultural Development and Diversification Program* [LFB Paper #173]. Maintain current law (funding for agricultural development and diversification grants would remain at \$400,000 GPR annually).

5. *Commerce: Gaming Economic Development and Diversification Grant and Loan Program* [LFB Paper #174]. Modify the gaming economic development and diversification grant and loan programs as follows: (a) consolidate, into one biennial program revenue appropriation, both the gaming economic development and economic diversification grant and loan programs and create a consolidated program revenue biennial repayments appropriation for both programs; (b) reduce funding for the combined economic development and diversification appropriation by \$2,750,000 PR in 2001-02 and \$1,750,000 PR in 2002-03; (c) beginning in 2001-02, transfer annual funding of \$170,700 and 1.0 gaming grants specialist position and supplies from the gaming economic development grants and loans appropriation to the Department's Native American Liaison appropriation; (d) provide that economic diversification grants and loans could be used for brownfields remediation projects; (e) expand the definition of a business that would be qualified to receive gaming economic development and diversification grants and loans to specifically include start-up businesses; and (f) authorize Commerce to make a gaming economic development grant of up to \$1,000,000 to the M7 Development Corporation for constructing a multipurpose center at Lincoln Park in the City of Milwaukee (no matching funds would be required). In addition, Commerce would be required to allocate \$500,000 a year from the gaming economic development and diversification program for Oneida Small Business Inc., and Project 2000 to provide grants and loans for small businesses. To be eligible for a grant and loan from the grant proceeds, a business would have to be located in a Wisconsin county

that contained or was adjacent to any portion of an Oneida reservation. In addition, the business would be required to meet any of the following criteria: (1) the business is a start-up business; (2) the business together with any affiliate, subsidiary or parent entity has fewer than 50 employees; and (3) the business is at least 51% owned, controlled, and actively managed by a member of members of the Oneida tribe.

6. *Commerce: Wisconsin Development Fund, Manufacturing Assessment Grants and Business Employees' Skills Training Program* [LFB Paper #175]. Create a separate program revenue appropriation for the manufacturing extension center grant program and provide \$500,000 annually in tribal gaming revenues to fund the program. (The program would no longer be funded through WDF appropriations.) The grant program's sunset date of June 30, 2001, would be repealed. Create a separate program revenue appropriation for the businesses employees' skills training grant program (BEST) and provide \$150,000 annually in tribal gaming revenues to fund the program. Further, maintain current funding levels for the Wisconsin Development Fund.

7. *Commerce: Funding for Forward Wisconsin* [LFB Paper #177]. Maintain current law (funding for Forward Wisconsin would remain at \$500,000 GPR annually).

8. *Commerce: Dental Loan Reimbursement Program* [LFB Paper #178]. Expand the current health care provider grant and loan program to include dental hygienists and authorize Commerce to repay up to \$25,000 in educational loans over three years. Provide \$10,000 in 2001-02 and \$20,000 in 2002-03 to fund loan repayments for dental hygienists.

9. *Health and Family Services: Minority Health Programs*. Provide \$250,000 annually to fund minority health programs. Specify that this funding would include: (a) a grant of up to \$50,000 annually for a private nonprofit corporation to conduct a public information campaign on minority health; and (b) \$200,000 annually for grants of up to \$50,000 for minority health programs. Modify the grant program to require recipients to provide a match, which may be provided as in-kind services, totaling at least 50% of the amount of the grant awarded by the state. In addition, provide that organizations that are not federally qualified health centers would receive priority for grants.

10. *Health and Family Services: Compulsive Gambling Awareness Funding*. Delete \$250,000 annually and eliminate the compulsive gambling awareness campaign grant program administered by the Department of Health and Family Services.

11. *Historical Society: Merrill Historical Society*. Provide \$25,000 in 2001-02 to the State Historical Society to provide funding to the Merrill Historical Society for the publication of a native tribal history of the upper Wisconsin river valley.

12. *Historical Society: American Indian Gravesites*. Provide \$15,000 in 2001-02 to the State Historical Society to fund costs related to identifying unmarked American Indian gravesites at the Power's Bluff County Park in Wood County.

13. *Natural Resources: Deer Management* [LFB Paper #179]. Delete the Governor's recommendation to provide \$166,000 PR in 2001-02 and \$157,900 PR in 2002-03 and, in addition, delete \$100,000 SEG annually from the fish and wildlife account of the conservation fund to delete base funding for the Deer 2000 initiative.

14. *Natural Resources: Elk Herd Monitoring* [LFB Paper #180]. Delete \$100,000 PR annually in tribal gaming revenues for elk herd monitoring, management and reintroduction efforts. Instead, provide \$100,000 in fish and wildlife SEG annually. [Total funding for elk reintroduction would be \$200,600 annually (\$100,600 PR and \$100,000 SEG).]

15. *Natural Resources: County and Municipal Enforcement Aids* [LFB Paper #181]. Maintain current law maximum reimbursement levels for eligible local recreational vehicle enforcement costs. Further, provide \$520,000 annually (\$200,000 snowmobile SEG, \$20,000 ATV SEG, and \$300,000 boating SEG from the conservation fund) to increase available aid for county and municipal enforcement efforts. (This would allow DNR to fund at least 80% of eligible reimbursement costs for local snowmobile enforcement efforts, 82% of ATV enforcement efforts, and up to 75% of eligible boating enforcement expenses.) The \$100,000 annually in tribal gaming revenue for snowmobile enforcement under the bill would be deleted.

16. *Natural Resources: Transfer to Environmental Fund* [LFB Paper #183]. Transfer \$500,000 in 2001-02 and \$1,000,000 in 2002-03 to the environmental fund in the 2001-03 biennium only.

17. *Natural Resources: Snowmobile Enforcement and Safety Training* [LFB Paper #651]. Delete \$4,000 in 2001-02 and \$8,000 in 2002-03 for snowmobile enforcement and safety training funding relating to law enforcement radio equipment.

18. *Natural Resources: Nonpoint Grants and Local Assistance to the Oneida Nation*. Delete \$120,000 annually from tribal gaming program revenues and related appropriation language to fund nonpoint grants and local assistance (staffing) to the Oneida Nation. (The Oneida Nation receives grants for nonpoint source pollution abatement projects in two priority watersheds. Grants are provided for local staff and supplies to administer the program and for landowner cost-shares to implement pollution prevention practices. Grant funding would instead be allocated from the Departments of Natural Resources and Agriculture, Trade and Consumer Protection GPR and bonding authorizations.)

19. *Natural Resources: Coaster Brook Trout*. Provide \$20,000 in 2001-02 and \$150,000 in 2002-03 only in an annual appropriation to the Department of Natural Resources to fund costs relating to the study and reintroduction of coaster brook trout.

20. *Natural Resources: Wastewater and Drinking Water Treatment Facilities*. Provide \$500,000 in each of 2001-02 and 2002-03 as a one-time grant to the Town of Swiss in Burnett

County and the St. Croix Band of Chippewa for design, engineering and construction of wastewater and drinking water treatment facilities.

21. *Natural Resources: Crop Damage Funding.* Provide \$30,000 annually to DNR for a study of crop damage caused by cranes. Funding would be one-time in the 2001-03 biennium only.

22. *Natural Resources: Conservation Hall of Fame.* Provide \$10,000 in 2001-02 to DNR for a grant to the Wisconsin Conservation Hall of Fame.

23. *Public Instruction: Special Counselor Grant Program.* Provide \$50,000 in 2001-02 for a special counselor grant program. Create an annual appropriation under the Department of Public Instruction (DPI) for this purpose with reversion of unencumbered balance provisions consistent with other tribal gaming revenue appropriations. Require the Department to award grants to entities that serve or border on a reservation, including school boards, boards of control of cooperative educational service agencies, or consortia consisting of at least two educational agencies, or an educational organization. These grants could be used for the cost of employing special counselors to help American Indian pupils adjust to their school districts. Reduce funding for general school aids by \$16,700 GPR in 2001-02 in order to adjust two-thirds funding of partial school revenues.

24. *Tourism. Kickapoo Valley Reserve Law Enforcement.* Provide \$31,300 in 2001-02 and \$41,800 in 2002-03 in a new, annual appropriation to provide law enforcement at the Kickapoo Valley Reserve.

25. *University of Wisconsin-Extension: Grants for Grazing and Nutrient Management.* Provide \$100,000 annually to the University of Wisconsin-Extension for the multi-agency land and water education grant program for grants to producers interested in grazing and nutrient management. Create an annual appropriation under UW-Extension for this purpose with reversion of unencumbered balance provisions consistent with other tribal gaming revenue appropriations. Prohibit the encumbrance of funds from this appropriation after June 30, 2006.

26. *University of Wisconsin System: Aquaculture Demonstration Facility* [LFB Paper #172]. Increase the 1999 Act 9 project enumeration by \$350,000 and authorize an additional \$350,000 in program revenue supported general obligation bonding for the purchase of movable equipment for the aquaculture facility. Debt service on the bonds would be paid with tribal gaming revenues beginning in 2003-04. Delete \$50,000 and 1.0 position in 2002-03. The remaining funding would provide \$80,000 for an aquaculture facility director based at UW-Superior starting in 2002-03 as well as \$170,000 that could be used for movable equipment or other facility costs.

27. *Veterans Affairs: Wisconsin Veterans Museum.* Provide \$100,000 PR annually to fund operational costs related to the Wisconsin Veterans Museum and create a new appropriation for

this purpose funded from tribal gaming revenues. Delete \$100,000 SEG annually for the operation of Wisconsin Veterans Museum.

28. *Workforce Development: Trade Masters Pilot Program.* Provide \$50,000 in 2001-02 to fund a Trade Masters Pilot Program that would recognize advanced training and post-apprenticeship achievements in three trades, crafts or businesses one of which would be the industrial sector, one in the construction sector, one in the service sector of the economy. Require the Department of Workforce Development, by July 1, 2010, to submit an evaluation of the effectiveness of the pilot program to the Legislature.

The following table lists the tribal gaming revenue allocations under the Committee's actions.

Tribal Gaming Revenue Allocations -- Joint Finance

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1 Administration ¹	\$500,000	\$500,000	County management assistance grant program.
2 Administration--Office of Justice Assistance ²	1,050,000	1,050,000	Tribal law enforcement assistance grant program.
3 Administration--Office of Justice Assistance ²	250,000	250,000	County law enforcement grants for certain counties.
4 Administration ³	250,000	250,000	UW Green Bay and Oneida Tribe Programs.
5 Arts Board ⁴	25,200	25,200	Grants-in-aid to, or contracts with, American Indian individuals or groups for services furthering the development of the arts and humanities.
6 Commerce ⁴	25,000	25,000	American Indian liaison, economic development liaison grants and technical assistance.
7 Commerce ⁵	249,500	249,500	American Indian economic liaison and gaming grants specialist and program marketing.
8 Commerce ⁵	90,000	94,000	American Indian economic development technical assistance grants.
9 Commerce ^{2,3}	150,000	150,000	Business employees' skills training grants.
10 Commerce ²	2,088,700	3,088,700	Gaming economic development and diversification grants and loans.
11 Commerce ^{2,3}	500,000	500,000	Manufacturing extension center grants.
12 Commerce ²	438,700	488,700	Physician, Dentist, Dental Hygienist and Health Care Provider Loan Assistance Programs.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
13 Health and Family Services ⁴	\$500,000	\$500,000	Elderly nutrition; home-delivered and congregate meals.
14 Health and Family Services ⁴	120,000	120,000	Cooperative American Indian health projects.
15 Health and Family Services ⁴	271,600	271,600	Indian aids for social and mental hygiene services.
16 Health and Family Services ⁴	500,000	500,000	Indian substance abuse prevention education.
17 Health and Family Services ⁴	1,070,000	1,070,000	Medical assistance matching funds for tribal outreach positions and federally qualified health centers (FQHC).
18 Health and Family Services ⁴	800,000	800,000	Health services: tribal medical relief block grants.
19 Health and Family Services ³	250,000	250,000	Minority health program and public information campaign grants.
20 Higher Education Aids Board ⁵	779,800	787,600	Indian student assistance grant program for American Indian undergraduate or graduate students.
21 Higher Education Aids Board ⁵	400,000	404,000	Wisconsin Higher Education Grant (WHEG) program for tribal college students.
22 Historical Society ⁴	189,800	189,800	Northern Great Lakes Center operations funding.
23 Historical Society ³	25,000	0	Merrill Historical Society for publication of tribal history in the upper Wisconsin river valley (one-time funding).
24 Historical Society ³	15,000	0	Identification of unmarked American Indian gravesites (one-time funding).
25 Justice ²	708,400	708,400	County-tribal law enforcement programs: local assistance.
26 Justice ²	63,600	63,600	County-tribal law enforcement programs: state operations.
27 Natural Resources ⁶	2,500,000	2,500,000	Transfer to the fish and wildlife account of the conservation fund.
28 Natural Resources ⁷	1,000,000	718,000	One-time transfer to the parks account of the conservation fund.
29 Natural Resources ²	100,600	100,600	Management of an elk reintroduction program.
30 Natural Resources ⁸	500,000	1,000,000	One-time transfer to the environmental fund for brownfields efforts.
31 Natural Resources ⁴	114,500	114,500	Management of state fishery resources in off-reservation areas where tribes have treaty-based rights to fish.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
32 Natural Resources ⁴	\$100,000	\$100,000	Payment to the Lac du Flambeau Band relating to certain fishing and sports licenses.
33 Natural Resources ⁴	809,900	809,900	State snowmobile enforcement program, safety training and fatality reporting.
34 Natural Resources ⁴	44,700	44,700	Reintroduction of whooping cranes.
35 Natural Resources ⁹	500,000	500,000	One-time grant to the Town of Swiss (Danbury) in Burnett County and the St. Croix Band for wastewater and drinking water treatment facilities.
36 Natural Resources ³	20,000	150,000	Costs relating to the study and reintroduction of coaster brook trout.
37 Natural Resources ³	30,000	30,000	Study of crop damage caused by cranes (one-time funding).
38 Natural Resources ³	10,000	0	Grant to the Wisconsin Conservation Hall of Fame (one-time funding).
39 Public Instruction ⁵	220,000	220,000	Aid to alternative schools operating American Indian language and culture education programs.
40 Public Instruction ³	50,000	0	Special Counselor grant program to assist American Indian pupils (one-time funding).
41 Shared Revenue ⁴	0	0	Farmland tax relief credit payments by tribes with casinos associated with certain pari-mutuel racetracks. No allocations would be made in the 2001-03 biennium.
42 Tourism ⁵	126,500	126,500	Tourist information assistant.
43 Tourism ⁴	3,969,500	3,969,500	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
44 Tourism ³	31,300	41,800	Law enforcement services at the Kickapoo Valley Reserve.
45 Transportation ³	3,500,000	1,500,000	One-time funding for grants to the City of Milwaukee for the reconstruction of West Canal Street.
46 University of Wisconsin System ⁴	\$0	\$0	Ashland full-scale aquaculture demonstration facility debt service payments. (No funding is provided in the 2001-03 biennium.)
47 University of Wisconsin System ²	0	250,000	Ashland full-scale aquaculture demonstration facility operational costs.
48 University of Wisconsin System ³	100,000	100,000	UW Extension grant program relating to grazing and nutrient management.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
49 Veterans Affairs ⁵	\$15,000	\$15,000	Grants to assist American Indians in obtaining federal and state veterans benefits.
50 Veterans Affairs ⁴	56,400	56,400	American Indian services veterans benefits coordinator position.
51 Veterans Affairs ³	100,000	100,000	Operational costs relating to the Wisconsin Veterans Museum.
52 Workforce Development ⁴	600,000	600,000	Work-Based Learning Board grants for work-based learning programs.
53 Workforce Development ⁴	350,000	350,000	Vocational rehabilitation services for Native American individuals and American Indian tribes or bands.
54 Workforce Development ³	<u>50,000</u>	<u>0</u>	Trade Masters Pilot Program (one-time funding).
Total Allocations	\$26,208,700	\$25,733,000	

¹ Funding in these amounts was provided from tribal gaming revenue in 1999-00 and 2000-01, but was not provided under the Governor's bill in 2001-02 and 2002-03. The funding in 2001-02 and 2002-03 was provided by the Joint Committee on Finance.

² Funding provided under the Governor's bill was modified by the Joint Committee on Finance and a more detailed description of the provision can be found in the budget summaries for this agency.

³ Allocates revenue for a new purpose, not previously funded from tribal gaming revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

⁴ Base funding is unchanged or modified by standard budget adjustments only. No additional description of the item is provided in the budget summaries for this agency.

⁵ Base funding is modified under the Governor's bill and a more detailed description of the provision can be found in the budget summaries for this agency.

⁶ Same annual transfer amount as provided in the 1999-01 biennium. No additional description of the item is provided in the budget summaries for this agency.

⁷ New, one-time transfer of revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

⁸ New, one-time transfer of revenue provided under the Governor's bill and modified by the Joint Committee on Finance. A more detailed description of the provision can be found in the budget summaries for this agency.

⁹ Allocates tribal gaming revenue for a new purpose. However, tribal gaming revenue was provided in 1999-00 and 2000-01 for a drinking water study and for planning activities relating to the construction of these wastewater and drinking water treatment facilities.

Senate: Allocate \$26,258,700 PR in 2001-02 and \$25,783,000 PR in 2002-03 from tribal gaming revenue. These allocations are \$50,000 more annually than the allocations under Joint Finance. Under the Senate provision, the tribal gaming revenue appropriation would have an estimated balance of \$160,400 on June 30, 2003. The Senate would make one modification to the Joint Finance allocations, as follows:

1. *Public Instruction: Beloit College Grant.* Provide \$50,000 annually for a grant to Beloit College to educate children and adults in southern Wisconsin about Native American cultures. Provide that any unencumbered balance in grant appropriation would revert to the Indian gaming receipts appropriation on June 30 of each year.

Assembly: Allocate \$23,123,300 PR in 2001-02 and \$28,725,800 PR in 2002-03 from tribal gaming revenue. These allocations are \$3,085,400 less in 2001-02 and \$2,992,800 more in 2002-03 than the allocations under Joint Finance (a net reduction in allocations of \$92,600). Under the Assembly provisions, the tribal gaming revenue appropriation would have an estimated balance of \$353,000 on June 30, 2003. The following provisions reflect the Assembly changes in allocation amounts or purposes:

1. *Administration -- Office of Justice Assistance: County-Tribal Law Enforcement Grants.* Provide \$360,600 annually to OJA and create a new cooperative county-tribal law enforcement grant program to provide: (a) \$210,550 annually to Vilas County to support a law enforcement agreement between Vilas County and the Lac du Flambeau band of Lake Superior Chippewa; (b) \$50,000 annually to Oneida County to support a law enforcement agreement between Oneida County and the Lac du Flambeau band of Lake Superior Chippewa; and (c) \$100,000 annually to Forest County to support a law enforcement agreement between Forest County and the Forest County Potawatomi. Provide that any unencumbered balance in OJA's newly-created grants for cooperative county-tribal law enforcement appropriation would revert to the Indian gaming receipts appropriation on June 30 of each year. Repeal the grant program and appropriation effective July 1, 2003.

2. *Agriculture, Trade and Consumer Protection: Ethanol Producer Grant Program.* Provide \$3.0 million in 2002-03 in a new, annual appropriation for grants to ethanol producers. Require the unencumbered balance in the tribal gaming grants appropriation to revert to the Indian gaming receipts appropriation on June 30 of each year.

3. *Commerce: Wisconsin Development Fund.* Provide \$1,000,000 in 2002-03 in a separate appropriation for the Wisconsin Development Fund.

4. *Commerce: Reallocate BEST Funding.* Delete \$150,000 annually from the Business Employee Skills Training (BEST) program and increase funding for the tribal gaming economic development and diversification grants and loans program by \$150,000 annually. Allocate the additional funding as follows: (a) provide a grant of \$30,000 and \$120,000 during the 2001-03 biennium to the Potosi Brewery Foundation, Inc.; (b) provide a grant of \$100,000 in 2002-03 to Forward Wisconsin, Inc., for marketing activities; and (c) provide a grant of \$50,000 in the 2001-03 biennium to the Florence County Keyes Peak Recreation Center for a construction project.

5. *Natural Resources: Coaster Brook Trout Reintroduction.* Delete \$20,000 in 2001-02 and \$150,000 in 2002-03 for the study and reintroduction of coaster brook trout.

6. *Natural Resources: Whooping Crane Reintroduction.* Delete the \$44,700 PR and 0.5 PR position annually for efforts relating to the reintroduction of the whooping crane. In addition, delete the Joint Finance provision that would have provided an additional \$37,600 SEG in 2001-

02 and \$43,500 SEG in 2002-03 and 0.5 SEG position from the fish and wildlife account of the conservation fund to increase efforts in this area.

7. *Natural Resources: Wisconsin Conservation Hall of Fame.* Delete \$10,000 in 2001-02 for a grant to the Wisconsin Conservation Hall of Fame. The purpose of the grant would have been to recognize the conservation efforts of Native Americans in Wisconsin.

8. *Transportation: West Canal Street Reconstruction.* Modify a Joint Finance provision that would require DOT to make a grant of \$10,000,000 to the City of Milwaukee for the reconstruction of West Canal Street if the City contributes \$10,000,000 toward the cost of the project by deleting \$3,500,000 in 2001-02 and \$1,500,000 in 2002-03 provided for making the grant and lowering the City's required match to \$5,000,000. The remaining \$5,000,000 grant to the City would come from amounts appropriated for the Marquette Interchange reconstruction project.

9. *Veterans Affairs: Veterans Museum Funding Shift.* Modify Joint Finance provision allocating tribal gaming revenues for a portion of Veterans Museum operations by providing an additional \$128,700 PR in 2001-02 and \$76,900 PR in 2002-03 and 0.5 PR two-year project position annually and by deleting \$128,700 SEG in 2001-02 and \$76,900 SEG in 2002-03 and 0.5 SEG two-year project position annually to reflect this funding conversion. Under the modification, tribal gaming revenues would fund 50% of the amounts and the Veterans Trust Fund would fund the remaining 50% of the amounts for initiatives recommended by the Governor.

10. *Workforce Development: Workforce Attachment and Advancement Program.* Increase funds for the workforce attachment and advancement program by \$200,000 GPR in 2001-02 and \$5,000,000 (\$1,816,600 GPR, \$250,000 PR and \$2,933,400 FED) in 2002-03. The \$250,000 PR in 2002-03 would come from tribal gaming revenue.

Conference Committee/Legislature: Allocate \$24,398,000 PR in 2001-02 and \$27,770,500 PR in 2002-03 from tribal gaming revenue. These allocations are \$1,810,700 less in 2001-02 and \$2,037,500 more in 2002-03 than the allocations under Joint Finance (a net increase in allocations of \$226,800). Under the Conference Committee/Legislature provisions, the tribal gaming revenue appropriation would have an estimated balance of \$33,600 on June 30, 2003. The following provisions reflect the Conference Committee/Legislature changes in allocation amounts or purposes to those approved by Joint Finance. A more detailed summary of each item, including the underlying Senate and/or Assembly provisions, can be found under the respective agency summaries.

1. *Administration -- Office of Justice Assistance: County-Tribal Law Enforcement Grants.* Modify the Assembly provision to provide \$260,600 annually to OJA for a new cooperative county-tribal law enforcement grant program to provide: (a) \$210,550 annually to Vilas County to support a law enforcement agreement between Vilas County and the Lac du Flambeau band of Lake Superior Chippewa; and (b) \$50,000 annually to Oneida County to support a law enforcement agreement between Oneida County and the Lac du Flambeau band of Lake

Superior Chippewa. (This deletes an Assembly provision that would have provided \$100,000 annually to Forest County to support a law enforcement agreement between Forest County and the Forest County Potawatomi).

2. *Agriculture, Trade and Consumer Protection: Ethanol Producer Grant Program.* Modify the Assembly provision to provide \$1,100,000 GPR and \$1,900,000 PR in tribal gaming revenue in 2002-03 for ethanol producer grants.

3. *Commerce: Reallocate BEST Funding.* Adopt the Assembly provision to delete \$150,000 annually from the Business Employee Skills Training (BEST) program and increase funding for the tribal gaming economic development and diversification grants and loans program by \$150,000 annually. Modify the Assembly provision by allocating the additional the funding as follows: (a) provide a grant of \$30,000 and \$120,000 during the 2001-03 biennium to the Potosi Brewery Foundation, Inc.; and (b) provide a grant of \$50,000 in the 2001-03 biennium to the Florence County Keyes Peak Recreation Center for a construction project. The Assembly provision to provide a grant of \$100,000 in 2002-03 to Forward Wisconsin, Inc., for marketing activities was not adopted and this funding would be available for other purposes under the tribal gaming economic development and diversification grants and loans program.

4. *Public Instruction: Beloit College Grant.* Adopt the Senate provision to provide \$50,000 annually for a grant to Beloit College to educate children and adults in southern Wisconsin about Native American cultures and provide that any unencumbered balance in grant appropriation would revert to the Indian gaming receipts appropriation on June 30 of each year.

5. *Transportation: West Canal Street Reconstruction.* Modify the Joint Committee on Finance provision that would require DOT to make a grant of \$10,000,000 to the City of Milwaukee for the project by specifying that, instead of the grant being composed of \$5,000,000 from amounts appropriated for the Marquette Interchange project and \$5,000,000 from tribal gaming proceeds, the grant would be composed of the following: (a) \$5,000,000 from amounts appropriated for the Marquette Interchange project; (b) \$2,500,000 from tribal gaming proceeds; and (c) \$2,500,000 from amounts appropriated for the local roads improvement program. Decrease the funding by \$2,250,000 in 2001-02 and \$250,000 in 2002-03 in the tribal gaming proceeds appropriation for West Canal Street reconstruction to reflect this decision.

Veto by Governor [F-26, F-27, F-28, F-29, F-30 and F-31]: The following partial vetoes of Enrolled Senate Bill 55 reflect changes to the tribal gaming revenue allocation amounts or the purposes of the allocations approved by the Legislature:

1. *Administration -- Office of Justice Assistance: County-Tribal Law Enforcement Grants.* Delete \$260,600 annually to OJA for a new cooperative county-tribal law enforcement grant program, as follows: (a) \$210,550 annually to Vilas County to support a law enforcement agreement between Vilas County and the Lac du Flambeau band of Lake Superior Chippewa; and (b) \$50,000 annually to Oneida County to support a law enforcement agreement between Oneida County and the Lac du Flambeau band of Lake Superior Chippewa.

2. *Health and Family Services: Minority Health Grants.* Eliminate the statutory authority to provide \$200,000 of the \$400,000 allocated for minority health grants in the 2001-03 biennium. The \$200,000 remains allocated to the Department, but would lapse to the tribal gaming appropriation in 2002-03.

3. *Natural Resources: Coaster Brook Trout Reintroduction.* Reduce funding relating to the study and reintroduction of coaster brook trout by \$130,000 in 2002-03. Under Act 16, the trout management appropriation would be funded at \$20,000 annually.

4. *Natural Resources: Crane Crop Damage Study.* Reduce funding for a study of crop damage caused by cranes by deleting \$10,000 in 2001-02 and by deleting \$30,000 in 2002-03. The wild crane study appropriation would be funded at \$20,000 in 2001-02 only. Further, DNR would be directed to provide \$20,000 in 2001-02 only, rather than \$30,000 in each year, to the University of Wisconsin and the International Crane Foundation.

5. *Tourism: Kickapoo Valley Reserve Law Enforcement.* Delete \$10,500 in 2002-03 for 1.0 FTE of limited-term employee staff to provide law enforcement at the Kickapoo Valley Reserve. Following the partial veto, tribal gaming revenue under Act 16 provides \$31,300 annually for this purpose.

6. *University of Wisconsin-Extension: Grants for Grazing and Nutrient Management.* Delete \$100,000 annually for a grazing education grant program. The program would have provided grants for education and technical assistance on intensive grazing.

Reflecting the Governor's partial vetoes, Act 16 allocates \$24,027,400 in 2001-02 and \$27,239,400 in 2002-03 from tribal gaming revenue. Under the Act 16 provisions, the tribal gaming revenue appropriation has an estimated balance of \$935,300 on June 30, 2003. The following table lists the tribal gaming revenue allocations under Act 16. The footnotes identify those items that are also summarized in greater detail, including any modifications to position authority, under the respective agency summaries.

Tribal Gaming Revenue Allocations -- Act 16

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
1 Administration ¹	\$500,000	\$500,000	County management assistance grant program.
2 Administration--Office of Justice Assistance ²	1,050,000	1,050,000	Tribal law enforcement assistance grant program.
3 Administration--Office of Justice Assistance ²	250,000	250,000	County law enforcement grants for certain counties.
4 Administration ³	250,000	250,000	UW-Green Bay and Oneida Tribe programs.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
5 Agriculture, Trade and Consumer Protection ³	\$0	\$1,900,000	Grants to ethanol producers.
6 Arts Board ⁴	25,200	25,200	Grants-in-aid to, or contracts with, American Indian individuals or groups for services furthering the development of the arts and humanities.
7 Commerce ⁴	25,000	25,000	American Indian liaison, economic development liaison grants and technical assistance.
8 Commerce ^{2,5}	249,500	249,500	American Indian economic liaison and gaming grants specialist and program marketing.
9 Commerce ⁵	90,000	94,000	American Indian economic development technical assistance grants.
10 Commerce ²	2,238,700	3,238,700	Gaming economic development and diversification grants and loans.
11 Commerce ^{2,3}	500,000	500,000	Manufacturing extension center grants.
12 Commerce ²	438,700	488,700	Physician, Dentist, Dental Hygienist and Health Care Provider Loan Assistance Programs.
13 Health and Family Services ⁴	500,000	500,000	Elderly nutrition; home-delivered and congregate meals.
14 Health and Family Services ⁴	120,000	120,000	Cooperative American Indian health projects.
15 Health and Family Services ⁴	271,600	271,600	Indian aids for social and mental hygiene services.
16 Health and Family Services ⁴	500,000	500,000	Indian substance abuse prevention education.
17 Health and Family Services ⁴	1,070,000	1,070,000	Medical assistance matching funds for tribal outreach positions and federally qualified health centers (FQHC).
18 Health and Family Services ⁴	800,000	800,000	Health services: tribal medical relief block grants.
19 Health and Family Services ^{3,6}	250,000	250,000	Minority health program and public information campaign grants.
20 Higher Education Aids Board ⁵	779,800	787,600	Indian student assistance grant program for American Indian undergraduate or graduate students.
21 Higher Education Aids Board ⁵	400,000	404,000	Wisconsin Higher Education Grant (WHEG) program for tribal college students.
22 Historical Society ⁴	189,800	189,800	Northern Great Lakes Center operations funding.
23 Historical Society ³	25,000	0	Merrill Historical Society for publication of tribal history in the upper Wisconsin river valley (one-time funding).
24 Historical Society ³	15,000	0	Identification of unmarked American Indian gravesites (one-time funding).
25 Justice ²	708,400	708,400	County-tribal law enforcement programs: local assistance.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
26 Justice ²	\$63,600	\$63,600	County-tribal law enforcement programs: state operations.
27 Natural Resources ⁷	2,500,000	2,500,000	Transfer to the fish and wildlife account of the conservation fund.
28 Natural Resources ⁸	1,000,000	718,000	One-time transfer to the parks account of the conservation fund.
29 Natural Resources ²	100,600	100,600	Management of an elk reintroduction program.
30 Natural Resources ⁹	500,000	1,000,000	One-time transfer to the environmental fund for brownfields efforts.
31 Natural Resources ⁴	114,500	114,500	Management of state fishery resources in off-reservation areas where tribes have treaty-based rights to fish.
32 Natural Resources ⁴	100,000	100,000	Payment to the Lac du Flambeau Band relating to certain fishing and sports licenses.
33 Natural Resources ²	809,900	809,900	State snowmobile enforcement program, safety training and fatality reporting.
34 Natural Resources ⁴	44,700	44,700	Reintroduction of whooping cranes.
35 Natural Resources ¹⁰	500,000	500,000	Grant to the Town of Swiss (Danbury) in Burnett County and the St. Croix Band for wastewater and drinking water treatment facilities.
36 Natural Resources ³	20,000	20,000	Costs relating to the study and reintroduction of coaster brook trout.
37 Natural Resources ³	20,000	0	Study of crop damage caused by cranes (one-time funding).
38 Natural Resources ³	10,000	0	Grant to the Wisconsin Conservation Hall of Fame (one-time funding).
39 Public Instruction ⁵	220,000	220,000	Aid to alternative schools operating American Indian language and culture education programs.
40 Public Instruction ³	50,000	50,000	Grant to Beloit College for educational programs on Native American cultures.
41 Public Instruction ³	50,000	0	Special Counselor grant program to assist American Indian pupils (one-time funding).
42 Shared Revenue ⁴	0	0	Farmland tax relief credit payments by tribes with casinos associated with certain pari-mutuel racetracks. (No allocations are made in the 2001-03 biennium.)
43 Tourism ⁵	126,500	126,500	Limited-term employees to operate the Wisconsin travel information center located in the Minnesota Mall of America.

<u>Department</u>	<u>Program Revenue</u>		<u>Purpose</u>
	<u>2001-02</u>	<u>2002-03</u>	
44 Tourism ⁴	\$3,969,500	\$3,969,500	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
45 Tourism ³	31,300	31,300	Law enforcement services at the Kickapoo Valley Reserve.
46 Transportation ^{2,3}	1,250,000	1,250,000	Grant to the City of Milwaukee for the reconstruction of West Canal Street (one-time funding).
47 University of Wisconsin System ⁴	0	0	Ashland full-scale aquaculture demonstration facility debt service payments. (No funding is provided in the 2001-03 biennium.)
48 University of Wisconsin System ²	0	250,000	Ashland full-scale aquaculture demonstration facility operational costs.
49 Veterans Affairs ⁵	15,000	15,000	Grants to assist American Indians in obtaining federal and state veterans benefits.
50 Veterans Affairs ⁴	56,400	56,400	American Indian services veterans benefits coordinator position.
51 Veterans Affairs ³	228,700	176,900	Operational costs relating to the Wisconsin Veterans Museum.
52 Workforce Development ⁴	600,000	600,000	Work-Based Learning Board grants for work-based learning programs.
53 Workforce Development ⁴	350,000	350,000	Vocational rehabilitation services for Native American individuals and American Indian tribes or bands.
54 Workforce Development ³	<u>50,000</u>	<u>0</u>	Trade Masters Pilot Program (one-time funding).
Total Allocations	\$24,027,400	\$27,239,400	

¹ Funding in these amounts was provided from tribal gaming revenue in 1999-00 and 2000-01, but was not provided under the Governor's bill in 2001-02 and 2002-03. The funding in 2001-02 and 2002-03 was provided by the Joint Committee on Finance.

² Funding or other provisions provided under the Governor's bill was modified by the Legislature and a more detailed description of the provisions can be found in the budget summaries for this agency.

³ Allocates revenue for a new purpose, not previously funded from tribal gaming revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

⁴ Base funding is unchanged or modified by standard budget adjustments only. No additional description of the item is provided in the budget summaries for this agency.

⁵ Base funding is modified under the Governor's bill and a more detailed description of the provision can be found in the budget summaries for this agency.

⁶ Under a partial veto by the Governor, the Department of Health and Family Services is authorized to expend \$200,000 in the 2001-03 biennium for the minority health program grants and \$50,000 annually for public information campaign grants, for a total of \$300,000 in the biennium. Because the total allocation for this purpose (\$500,000) exceeds this amount by \$200,000, the remaining \$200,000 will revert to the Indian gaming receipts appropriation.

⁷ Same annual transfer amount as provided in the 1999-01 biennium. No additional description of the item is provided in the budget summaries for this agency.

⁸ New, one-time transfer of revenue. A more detailed description of the provision can be found in the budget summaries for this agency.

⁹ New, one-time transfer of revenue provided under the Governor's bill and modified by the Legislature. A more detailed description of the provision can be found in the budget summaries for this agency.

¹⁰ Allocates tribal gaming revenue for a new purpose. However, tribal gaming revenue was provided in 1999-00 and 2000-01 for a drinking water study and for planning activities relating to the construction of these wastewater and drinking water treatment facilities.

2. REVERT UNENCUMBERED BALANCES TO INDIAN GAMING RECEIPTS APPROPRIATION [LFB Paper 167]

Governor: Provide that, for annual appropriations (with one exception) receiving tribal gaming revenue from the Indian gaming receipts appropriation, any unencumbered balance on June 30 of each year would revert to the Indian gaming receipts appropriation. The exception is a Department of Commerce annual appropriation that would be created under the bill for Forward Wisconsin, Inc., business recruitment. Provide that, for biennial and continuing appropriations (with two exceptions) receiving tribal gaming revenue, any unencumbered balance on June 30 of each odd-numbered year would revert to the Indian gaming receipts appropriation from which tribal gaming revenue is transferred. The exceptions are: (a) a continuing appropriation for the Department of Health and Family Services interagency and intra-agency aids that receives tribal gaming revenue for medical assistance state-match purposes; and (b) a continuing appropriation, created under the bill, for the Department of Transportation for West Canal street reconstruction, service funds (which would receive tribal gaming funds in the 2001-03 biennium only). [In addition, a continuing appropriation relating to farmland tax relief payments from gaming revenue paid to the state by any tribe operating a casino located at certain pari-mutuel racetracks would not contain the reversion provision. This appropriation is not currently active (no tribe operates a casino in association with a pari-mutuel racetrack) and, if active, would not produce an unencumbered balance.] Under current law, for a program revenue appropriation to which monies are statutorily credited (which is the case for the appropriations receiving tribal gaming revenue), all unencumbered balances are retained in that appropriation account at the end of the fiscal year.

The Governor estimates that these unencumbered balances will total \$2.5 million annually in 1999-00, 2000-01 and 2001-02. The 1999-00 and 2000-01 balances (totaling \$5.0 million) were intended to revert to the Indian gaming receipts appropriation in 2001-02 and the 2001-02 unencumbered balances (\$2.5 million) would revert to the appropriation in 2002-03. A correction to the bill would be needed to effectuate the transfer of unencumbered balances in 2001-02.

Joint Finance/Legislature: Modify the Governor's recommendation as follows: (a) provide nonstatutory language clarifying that the unencumbered balances in the applicable appropriations on June 30, 2001, would revert to the Indian gaming receipts appropriation in 2001-02 on the effective date of the bill; (b) convert the following two continuing appropriations

to biennial appropriations, subject to the reversion of unencumbered balances provision for biennial appropriations under the bill: (1) the Commerce appropriation for the Physician and Dentist and Health Care Provider Loan Assistance Programs; and (2) the Tourism marketing appropriation; and (c) provide that the DHFS allocation for state match of certain medical assistance-funded activities be transferred to a new biennial appropriation for this purpose, subject to the reversion of unencumbered balances provision for biennial appropriations under the bill, and modify the Indian gaming receipts appropriation language that allocates this funding to DHFS to reflect this change.

Under these actions, the unencumbered balances reverting to the Indian gaming receipts appropriation are reestimated at \$2,368,600 relating to 1999-00, \$1,686,700 relating to 2000-01 and \$552,000 relating to 2001-02.

[Act 16 Sections: 448 thru 451, 454, 456, 466, 483, 484, 511, 560, 581, 582, 586, 589, 595, 602, 623, 630, 631, 713, 713g, 721, 729 thru 731, 746, 761, 786, 787, 824, 859, 860m, 880, 885h, 9201(5mk), 9205(1mk), 9210(3mk), 9223(5mk), 9224(1mk), 9225(1mk), 9231(1mk), 9237(4mk), 9240(1mk), 9251(1mk), 9256(1mk), 9257(2mk) and 9258(2mk)]

3. TRIBAL GAMING VENDOR CERTIFICATION COSTS [LFB Paper 165]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	\$400,000	- \$400,000	\$0

Governor: Provide \$200,000 annually from Indian gaming receipts for tribal gaming vendor certification costs of the Division of Gaming. Indian gaming receipts include moneys received by the state from Indian gaming vendors and from persons proposing to be Indian gaming vendors as reimbursement for state costs of certification and background investigations. Under the bill, the expenditure authority is provided to the Indian gaming receipts appropriation. A correction is needed to provide the expenditure authority to the general program operations appropriation for Indian gaming.

Joint Finance/Legislature: Delete provision.

4. CORRECT BASE FUNDING FOR REPEALED APPROPRIATION

PR	- \$100,000
----	-------------

Governor/Legislature: Delete \$50,000 annually to remove base funding for a county fair association grant appropriation under the Division of Gaming that was repealed under 1999 Act 5.

5. LICENSEE REQUIREMENTS FOR SIMULCAST RACING

Joint Finance/Legislature: Modify certain requirements that must be met for racetrack licensees to be approved to receive simulcast races, as follows: (a) increase the minimum number of live race performances from 250 race performances to 275 race performances, regardless of the amount wagered during the preceding calendar year; (b) repeal the provision that wagering on simulcast races be conducted at the racetrack only as an adjunct to, and not in a manner that will supplant, wagering on live on-track racing at that racetrack; and (c) repeal the provision that wagering on simulcast races will not be the primary source of wagering revenue at that racetrack. Under current law, DOA may not permit a racetrack licensee to receive simulcast races unless DOA determines that all of the following conditions are met: (a) for a racetrack at which \$25,000,000 or more was wagered during the calendar year immediately preceding the year in which the applicant proposes to conduct wagering on simulcast races, at least 250 race performances (live races) were conducted at the racetrack during that period; (b) for a racetrack at which less than \$25,000,000 was wagered during the calendar year immediately preceding the year in which the applicant proposes to conduct wagering on simulcast races, at least 200 race performances were conducted at the racetrack during that period; (c) wagering on simulcast races will be conducted at the racetrack only as an adjunct to, and not in a manner that will supplant, wagering on live on-track racing at that racetrack; (d) wagering on simulcast races will not be the primary source of wagering revenue at that racetrack; and (e) the conduct of wagering on simulcast races will not adversely affect the public health, welfare or safety.

Veto by Governor [F-1]: Delete provision.

[Act 16 Vetoes Sections: 3713c thru 3713e]

6. RAFFLE TICKET AUTHORIZATION

Joint Finance/Legislature: Provide the following: (a) authorize the sale of raffle tickets that allow for equal shares of a single ticket to be sold to one or more purchasers under a Class A raffle license; (b) that the sponsoring organization be required to purchase any unsold shares of a ticket; (c) that no raffle ticket sold under a Class A license may exceed \$100 in cost; and (d) require the Department of Administration to promulgate administrative rules relating to the sale of such tickets. Provide that the provisions become effective on the first day of the third month beginning after publication. Under current law, no raffle ticket sold under a Class A license may exceed \$50 in cost. A Class A license relates to the conduct of a raffle in which some or all of the tickets for that raffle are sold on days other than the same day as the raffle drawing.

[Act 16 Sections: 3713k thru 3713kp and 9401(2g)]

7. TRIBAL LOGO TO RECOGNIZE THE USES OF TRIBAL GAMING REVENUE

Joint Finance/Legislature: Require the La Follette Institute of Public Affairs of the UW System, working in consultation with federally recognized American Indian tribes and bands in Wisconsin, to develop a tribal logo that is representative of federally recognized American Indian tribes and bands in this state for display on official state notifications of grants funded in whole or in part by Indian gaming receipts. In addition to the logo, require a plan to implement the use of the logo, including ways to determine when the logo should be used, the cost of developing and using the logo and how this cost would be funded. Require the Institute to submit the proposed logo and plan to the Joint Committee on Finance under a 14-day passive review process, and to the governing bodies of each tribe and band for approval. Provide that the plan may be implemented if approved by the Joint Committee on Finance and the governing bodies of each tribe and band.

Veto by Governor [A-25]: Delete provision.

[Act 16 Vetoed Section: 1351t]

8. EXCLUSION OF CERTAIN PENALTIES RELATING TO GAMBLING DEVICES

Joint Finance/Legislature: Provide that a person who manufactures, transfers commercially or possesses with intent to transfer commercially, gambling devices to a gaming facility authorized under the Indian Gaming Regulatory Act or otherwise lawful gambling place would be excluded from the current law provision that specifies a person making such transfers is guilty of a Class E felony.

[Act 16 Sections: 3966h thru 3966q]

9. REDUCE STATE PAYMENT OF UNCLAIMED WINNINGS BY RACETRACKS

PR-REV	- \$173,300
GPR	\$164,100
PR	- 164,100
Total	\$0

Senate: Allow Wisconsin racetrack licensees to retain unclaimed winnings currently paid to the state, effective July 1, 2002. Under the provision, estimated program revenue would decrease \$346,500 in 2002-03. Provide \$346,500 GPR in 2002-03, as follows: (a) \$328,100 to DOA for racing-related regulation functions; and (b) \$18,400 to the Department of Justice (DOJ) for gaming-related law enforcement.

Under current law, all winnings on a race that are not claimed within 90 days of the end of a racing year are credited to appropriations for the general program operations for racing regulation in DOA and for racing law enforcement in DOJ. Any unencumbered balances in these appropriations at the end of each fiscal year are transferred to the lottery fund and must be used for property tax relief. The provision of GPR funding would maintain current estimates of 2002-03 racing-related revenue transferring to the lottery fund from these appropriations.

Conference Committee/Legislature: Allow Wisconsin racetrack licensees to retain 50% of unclaimed winnings currently paid to the state, effective July 1, 2002, to first apply to prizes that are unclaimed on the 90th day after the effective date. Estimated state program revenue would decrease by \$173,300 in 2002-03. Provide 7\$164,100 GPR and delete \$164,100 PR in DOA for racing-related regulation functions to reflect the resulting 2002-03 decrease in program revenue. (DOJ would be provided \$9,200 GPR and -\$9,200 PR for gaming-related law enforcement.)

[Act 16 Sections: 764qy, 879g, 3713jm, 9301(3q) and 9401(3r)]

Office of Justice Assistance

1. TRANSFER OF YOUTH DIVERSION PROGRAM TO OFFICE OF JUSTICE ASSISTANCE

Funding Positions		
GPR	\$923,200	1.50
PR	<u>2,076,800</u>	<u>0.50</u>
Total	\$3,000,000	2.00

Governor: Provide \$461,600 GPR and 1.5 GPR positions and \$1,038,400 PR and 0.5 PR position annually and transfer the administration and grant funding of the Department of Corrections' Office of Gang Intervention and Prevention (youth diversion program) to the Office of Justice Assistance (OJA). Make the following changes to OJA's appropriations: (a) rename the GPR general program operations appropriation the general program operations; youth diversion appropriation and amend the appropriation language to include youth diversion services; (b) rename the PR anti-drug enforcement program -- administration appropriation the law enforcement programs -- administration; youth diversion appropriation and amend the appropriation language to include youth diversion services; and (c) create a new PR interagency and intra-agency programs appropriation that would allow OJA to receive funds from the Department of Health and Family Services (DHFS) for the youth diversion program.

Under current law, a total of \$1,400,000 is provided to Corrections annually for youth diversion grants (\$380,000 GPR, \$720,000 PR from penalty assessment revenue and \$300,000 PR from federal funds administered by DHFS). Of this total, \$500,000 combined GPR and PR from penalty assessment funds is allocated for an organization in Milwaukee County to provide services designed to divert juveniles from gang activities into productive activities. The \$300,000 provided from DHFS federal funding is designated for the provision of substance abuse education and treatment services for juveniles participating in the organization's youth diversion program. In addition, \$600,000 annually (composed of GPR and PR from penalty assessment funds) is budgeted to provide \$150,000 each to organizations in Racine, Kenosha, and Brown Counties and the City of Racine. These organizations provide gang diversion services, including substance abuse education and treatment services for program participants. Under the bill, no modification of the grant recipients or grant amounts would be made.

In addition to the transfer of these grant funds, \$100,000 annually (\$81,600 GPR and \$18,400 PR) and 2.0 positions (1.5 GPR and 0.5 PR) would be transferred from Corrections to OJA for the administration of the program. The PR funding and 0.5 position would be taken from the juvenile corrective sanctions program appropriation funded with revenue provided by counties and the state (under the serious juvenile offender appropriation) for juvenile correctional services. (A nonstatutory provision under the bill, which would delete the 0.5 PR position from the wrong appropriation, requires correction.) Under the bill, the \$18,400 PR and 0.5 PR position provided to OJA would now be funded from penalty assessment revenues.

Under the bill, statutory modifications are made to transfer the authority to operate the program from Corrections to OJA. On the effective date of the bill, the assets and liabilities of Corrections primarily related to the youth diversion program, as determined by the DOA Secretary, would become assets and liabilities of DOA. The bill provides that the incumbent employees holding the transferred positions would be transferred to DOA and would maintain their employment rights and status. Tangible personal property, pending matters, contracts and contract responsibilities relating to the youth diversion program would be transferred to DOA. Rules and orders relating to the program under Corrections would remain in effect until their specified expiration date or until modified or rescinded by DOA.

Joint Finance/Legislature: Create separate GPR and PR annual appropriations for youth diversion grant funds and transfer \$380,000 GPR and \$720,000 PR annually to these appropriations from OJA's GPR general program operations appropriation and the PR appropriation relating to the administration of anti-drug law enforcement programs and the youth diversion program under the bill. Modify OJA appropriation titles and language under the bill to reflect these changes. Correct a nonstatutory provision under the bill, which deletes the 0.5 PR position from DOC, to reflect that the deletion is made from the appropriation relating to the corrective sanctions program. Direct that, in the appropriation relating to the \$300,000 provided annually to Milwaukee County for the provision of substance abuse education and treatment services for juveniles participating in the youth diversion program, the grant amount be reallocated from the supplies and services budget line to the aids to individuals and organizations budget line.

[Act 16 Sections: 285, 684d thru 686, 853d, 856d, 857d, 3348 thru 3351d and 9111(1)]

2. COUNTY, COUNTY-TRIBAL AND TRIBAL LAW ENFORCEMENT GRANT PROGRAMS [LFB Paper 169]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	\$1,416,800	-\$1,416,800	\$0

Governor: Make the following changes to the county, county-tribal and tribal law enforcement grant programs: (a) provide \$708,400 annually and transfer the cooperative county-tribal law enforcement grant program from the Department of Justice (DOJ) to OJA; (b)

combine DOJ's cooperative county-tribal law enforcement grant program with OJA's existing county law enforcement services grant program, with the statutory modifications described below; (c) rename OJA's county law enforcement services appropriation the county and tribal law enforcement assistance appropriation; and (d) repeal OJA's tribal law enforcement assistance appropriation and transfer the tribal law enforcement assistance grant funding of \$1,050,000 annually to the modified county and tribal law enforcement assistance appropriation. Funds for both the modified county-tribal law enforcement services grant program and the tribal law enforcement assistance grant program would now come from this consolidated appropriation, with total funding of \$2,008,400 annually for both the modified county-tribal and the tribal grant programs. A technical correction is necessary to properly reflect that funding is transferred from another OJA appropriation. Under the bill, OJA would have discretion as to the distribution of funds between the county-tribal and tribal grant programs. Tribal gaming receipts provide the program revenue for both programs. The bill makes no statutory changes to the tribal law enforcement assistance grant program.

Under current law, a county is eligible to participate in OJA's county law enforcement services grant program if: (a) the county borders one or more federally-recognized Indian reservations; (b) the county has not established a cooperative county-tribal law enforcement program under DOJ's grant program with each federally recognized Indian tribe or band that has a reservation bordering the county; (c) the county demonstrates a need for the law enforcement services to be funded with the grant; and (d) the county submits an application for a grant and a proposed plan that shows how the county will use the grant money to fund law enforcement services. Adjusted base funding for the program is \$250,000.

Under current law, a county is eligible to participate in DOJ's county-tribal law enforcement grant program if: (a) a county has one or more federally recognized Indian reservations within or partially within its boundaries; (b) pursuant to adoption of a resolution by the county board, the county enters into an agreement with an Indian tribe located in the county to establish a cooperative county-tribal law enforcement program; (c) the county and tribe develop and annually submit a joint program plan by December 1 of the year prior to the year for which funding is sought to DOJ for approval; and (d) for funding sought for the second or subsequent year, the county and tribe submit a report regarding the performance of law enforcement activities on the reservation in the previous fiscal year along with the plan. Adjusted base funding for DOJ's grant program, exclusive of administrative funding, is \$708,400.

Under the bill, a county would be eligible to participate in the modified county-tribal law enforcement grant program if: (a) the county has one or more federally-recognized American Indian reservations within or partially within its boundaries or the county borders on one or more federally recognized American Indian reservations; (b) the county board adopts a resolution entering into an agreement with a federally recognized American Indian reservation to establish a cooperative county-tribal law enforcement program; and (c) the county submits to OJA a proposal for expenditure of grant moneys.

The bill would authorize OJA to require that a county include the following in any grant application under the program: (a) a description of any cooperative county-tribal law enforcement program or law enforcement service for which the county requests funding; (b) a description of the population and geographic area that the county proposes to serve; (c) the county's need for funding under the program and the amount of funding requested; (d) identification of the county governmental unit that would administer any aid received under the program and a description of how that governmental unit would disburse any aid received; and (e) any other information that would be required by OJA or considered relevant by the county submitting the application. OJA would be required to develop criteria and procedures for use in administering the program. The criteria and procedures would not have to be promulgated as administrative rules.

Joint Finance/Legislature: Delete provision. In addition, require the unencumbered balance on June 30 of each year from the following appropriations to revert to the Indian gaming receipts appropriation in DOA: (a) DOJ's county-tribal programs, local assistance appropriation; (b) DOJ's county-tribal programs, state operations appropriation; (c) OJA's county law enforcement services appropriation; and (d) OJA's tribal law enforcement assistance appropriation. Finally, technically correct the county law enforcement services appropriation funding source designation.

[Act 16 Sections: 771m, 772m, 859 and 860m]

3. PENALTY ASSESSMENT SURCHARGE [LFB Paper 191]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Veto (Chg. to Leg)	Net Change
GPR-REV	\$0	\$875,200	\$0	\$875,200
PR-REV	\$2,003,000	\$1,087,600	\$271,000	\$3,361,600
PR-Lapse	\$0	\$875,200	\$0	\$875,200

Governor: Make the following changes concerning the penalty assessment surcharge: (a) reduce the penalty assessment surcharge from 23% to 13% of the total fine or forfeiture imposed for a violation of state law or municipal or county ordinance (except for violations involving smoking in restricted areas, failing to properly designate smoking or nonsmoking areas, nonmoving traffic violations or violations of safety belt use); and (b) provide that all penalty assessment surcharge revenues be credited to OJA's penalty assessment surcharge receipts appropriation. These changes would first take effect and apply to assessments imposed on the effective date of the bill. In addition, delete obsolete non-statutory language concerning transfer of funds to the penalty assessment surcharge receipts appropriation during the 1999-01 biennium.

Under current law, twenty-eight fifty-fifths of penalty assessment surcharge revenues are deposited to OJA's penalty assessment surcharge receipts appropriation and twenty-seven fifty-fifths are deposited to the Department of Justice (DOJ) for the law enforcement training fund

and for crime laboratory equipment and supplies. The bill would eliminate DOJ's receipt of penalty assessment surcharge revenues and instead create a new law enforcement training fund assessment [see "Justice -- Law Enforcement Training Fund and Assessment"]. Under the bill, all penalty assessment surcharge revenue would now be credited to OJA's penalty assessment surcharge receipts appropriation for distribution as provided in the appropriation.

OJA's penalty assessment surcharge receipts appropriation currently receives twenty-eight fifty-fifths of all penalty assessment surcharge revenues, which represents approximately 11.71% of the total fine or forfeiture. Under the bill, the penalty assessment would be reduced to 13% of the total fine or forfeiture amount, but OJA would receive the entire amount. The increase in program revenue to OJA's penalty assessment surcharge receipts appropriation as a result of this change is estimated under the bill to be \$1,001,500 annually.

Joint Finance/Legislature: Except for the removal of obsolete non-statutory language, delete provision. Instead, increase the penalty assessment surcharge from 23% to 24% of a total fine or forfeiture to first take effect and apply to violations occurring on the effective date of the bill. Further, provide that the penalty assessment revenues be distributed with thirteen twenty-fourths of revenues collected deposited to OJA and eleven twenty-fourths deposited to the Department of Justice's law enforcement training fund.

Transfer, in 2001-02, 85% of the unencumbered balances on June 30, 2001, of OJA's anti-drug enforcement program, penalty assessment--state, local and administration appropriations; DPI's aid for alcohol and other drug abuse programs appropriation; and DOC's victim services and programs appropriation to OJA's penalty assessment receipts appropriation, estimated to total \$1,293,400. Reestimate penalty assessment revenues received by OJA's penalty assessment receipts appropriation by \$1,016,000 in 2001-02 and \$71,600 in 2002-03.

Transfer to the general fund \$875,200 from OJA's penalty assessment receipts appropriation in 2001-02.

Veto by Governor [D-22]: Increase the required balance transfers on June 30, 2001, for the affected appropriations, from 85 percent of the unencumbered balances to the entire unencumbered balances. The Governor estimates that the partial veto would result in additional transfers to the penalty assessment receipts appropriation totaling \$271,000 in 2001-02.

[Act 16 Sections: 852n, 3774, 3775 thru 3777n, 4047 thru 4056, 9201(6c)&(6d), 9211(2c), 9240(1c) and 9359(4c)]

[Act 16 Vetoed Sections: 9201(6c), 9211(2c) and 9240(1c)]

4. STATE AND LOCAL PENALTY ASSESSMENT MATCH FUNDING FOR THE FEDERAL ANTI-DRUG ENFORCEMENT PROGRAM [LFB Paper 192]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	\$1,573,400	- \$1,958,600	- \$385,200

Governor: Provide \$581,400 in 2001-02 and \$992,000 in 2002-03 as follows: (a) provide -\$288,200 in 2001-02 and \$121,800 in 2002-03 in state and local penalty assessment match money for the federal Byrne anti-drug enforcement program to reestimate Byrne match requirements; and (b) provide \$869,600 in 2001-02 and \$870,200 in 2002-03 for administrative and youth diversion program funding. Technical correction is needed to delete the administrative and youth diversion funding, since those funds were also properly provided to the law enforcement programs--administration and youth diversion appropriation. The technical correction would delete funding as follows: (a) the youth diversion program (\$738,400 annually); (b) match money for administration of the federal Byrne and Juvenile Accountability Incentive Block Grant (JAIBG) programs (\$139,500 annually); and (c) full funding of salaries and fringe benefits and reclassification standard budget adjustments (-\$8,300 in 2001-02 and -\$7,700 in 2002-03).

In addition, consolidate the state and local penalty assessment match funding appropriations as follows: (a) rename the anti-drug enforcement program, penalty assessment--local appropriation as the anti-drug enforcement program, penalty assessment--state and local appropriation; and (b) delete the anti-drug enforcement program, penalty assessment--state appropriation and transfer its adjusted base of \$1,294,200 annually to the anti-drug enforcement program, penalty assessment--state and local appropriation. The anti-drug enforcement program, penalty assessment--local appropriation has an adjusted base of \$1,184,200. While the modified anti-drug enforcement program, penalty assessment--state and local appropriation would receive matching funds for both state and local programs, the appropriation would remain a local assistance appropriation.

Under current law, penalty assessment revenues are used to match federal anti-drug law enforcement funds that are distributed to state agencies and local units of government and to OJA for administration. For state programs, OJA provides the full 25% match required under the federal Byrne program. Under state law, OJA provides 15% of the required match for local programs and the local unit of government is required to provide the other 10% match.

According to the executive budget book, the Governor intends to provide \$250,000 annually and provide the full 25% match for discretionary anti-drug enforcement grants to local multijurisdictional enforcement groups (MEGs) for increased enforcement and awareness campaigns to educate potential abusers, parents and community members of the nature and impact of ecstasy and other so-called club drugs and relevant criminal penalties. A statutory change would be needed to allow OJA to provide the Governor's recommended 25% penalty assessment match for the new ecstasy awareness and enforcement grant program.

Joint Finance: Modify the Governor's provision by: (a) authorizing the 25% match for the ecstasy awareness and enforcement grant program; (b) retaining separate penalty assessment appropriations for matching state and local Byrne funds; (c) deleting \$869,600 in 2001-02 and \$870,200 in 2002-03 in penalty assessment funding for youth diversion program funding, for full funding of certain salaries and fringe benefits and reclassification standard budget adjustments, as well as penalty assessment match money for Byrne and JAIBG administration that was inadvertently provided twice; (d) deleting \$52,500 annually in penalty assessment match money for the Governor's Commission on Law Enforcement and Crime set-aside; (e) deleting \$40,000 annually in penalty assessment match money for the purchase of in-car cameras in police squad cars; and (f) deleting \$33,800 in 2002-03 in penalty assessment match money for the misdemeanor offender diversion program.

Senate: Reallocate penalty assessment match money as follows: (a) -\$35,000 annually for special projects; (b) -\$95,000 in 2002-03 for a misdemeanor offender diversion program; and (c) \$82,500 annually for community justice centers and the pretrial intoxicated driver intervention grant program.

Assembly: Reallocate penalty assessment match money as follows: (a) -\$125,000 in 2002-03 for a misdemeanor offender diversion program; (b) \$13,800 in 2001-02 and \$8,700 in 2002-03 for a crime prevention resource center; (c) \$28,400 in 2001-02 and \$37,900 in 2002-03 for 3.0 restorative justice assistant district attorneys (ADAs); and (d) \$16,900 in 2001-02 and \$19,300 in 2002-03 for an Office of Faith-Based Crime Prevention Initiatives.

Conference Committee/Legislature: Adopt the Senate provision and modify the Assembly provision by: (a) deleting \$66,700, rather than \$125,000, in 2002-03 from the misdemeanor offender diversion program; (b) providing \$18,900 in 2001-02 and \$25,300 in 2002-03 for 2.0, rather than 3.0, restorative justice ADAs; and (c) deleting funding for an Office of Faith-Based Crime Prevention Initiatives. In total, \$161,700 in penalty assessment match money would be reallocated from the misdemeanor offender diversion program to other programs.

Veto by Governor [D-21]: Delete the requirements for OJA to make allocations of penalty assessment match money for: (a) community justice centers; (b) the pretrial intoxicated driver intervention grant program; and (c) the crime prevention resource center.

[Act 16 Section: 328g]

[Act 16 Vetoed Sections: 327n, 672L, 1375r, 2340q and 9101(21j)&(22w)]

5. FEDERAL LOCAL ASSISTANCE AND AIDS TO ORGANIZATIONS APPROPRIATIONS [LFB Paper 192]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Legislature (Chg. to JFC)	Net Change
FED	\$1,046,600	- \$925,000	\$484,900	\$606,500

Governor: Provide \$753,500 in 2001-02 and \$293,100 in 2002-03 to reflect a reestimate of available federal Byrne anti-drug law enforcement grant funding. In addition, make the following changes to OJA federal appropriations for aids to organizations and local assistance: (a) rename the federal aid, criminal justice improvement projects, local assistance appropriation the federal aid, local assistance and aids appropriation and delete the language in the appropriation providing that the funds be allocated to local governments; (b) repeal the federal aid, criminal justice improvement projects, aid to organizations appropriation and transfer its adjusted base of \$2,250,000 annually to the federal aid, local assistance and aids appropriation; and (c) repeal the federal aid, anti-drug enforcement program, aids and local assistance appropriation and transfer its adjusted base of \$5,741,400 annually to the federal aid, local assistance and aids appropriation.

Joint Finance: Delete: (a) \$262,500 annually in Byrne grant funds for the Governor's Commission on Law Enforcement and Crime set-aside; and (b) \$200,000 annually in Byrne grant funds for the purchase of in-car cameras in police squad cars.

Senate: Provide \$142,500 annually in Byrne grant funds for community justice centers and the pretrial intoxicated driver intervention grant program (transferred from the federal justice assistance, state operations appropriation) and allocate \$175,000 annually in Byrne grant funds from special projects funding to funding for community justice centers and the pretrial intoxicated driver intervention grant program.

Assembly: Provide the following Byrne grant funding, transferred from the federal justice assistance, state operations appropriation: (a) \$41,200 in 2001-02 and \$26,300 in 2002-03 for the crime prevention resource center; and (b) \$85,000 in 2001-02 and \$113,600 in 2002-03 for 3.0 restorative justice assistant district attorneys (ADAs).

Conference Committee/Legislature: Adopt the Senate provision and modify the Assembly provision by providing \$56,700 in 2001-02 and \$75,700 in 2002-03 in Byrne grant funds for 2.0, rather than 3.0, restorative justice ADAs. In total, \$484,900 in 2002-03 is deleted from the federal justice assistance, state operations appropriation and transferred to the federal aids local assistance and aids appropriation (\$240,400 in 2001-02 and \$244,500 in 2002-03).

Veto by Governor [D-21]: Delete the requirements for OJA to allocate federal Byrne grant funds for community justice centers, the pretrial intoxicated driver intervention grant program and the crime prevention resource center.

[Act 16 Sections: 773 and 864 thru 866]

[Act 16 Vetoes Sections: 327n, 672L, 1375r, 2340q and 9101(21j)&(22w)]

6. CONSOLIDATION OF FEDERAL STATE OPERATIONS APPROPRIATIONS AND REESTIMATE OF FEDERAL FUNDS [LFB Papers 192 and 193]

	Governor (Chg. to Base)		Jt. Finance (Chg. to Gov)		Legislature (Chg. to JFC)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions	Funding	Positions
FED	-\$357,800	0.75	-\$763,100	- 0.75	-\$484,900	0.00	-\$1,605,800	0.00

Governor: Make the following changes to OJA's federal appropriations for state operations: (a) provide -\$966,500 in 2001-02 and \$533,500 in 2002-03 as a reestimate of federal Byrne anti-drug law enforcement grant funding; (b) provide \$36,300 in 2001-02 and \$38,900 in 2002-03 and 0.75 position annually (the position and funding were inadvertently provided); and (c) consolidate OJA's three existing federal appropriations for state operations (administration, state operations; criminal justice, state operations; and anti-drug enforcement, state operations) into one justice assistance, state operations appropriation to receive money from the federal government for state agency operations for justice assistance to carry out the purpose for which the federal money was received.

Under the bill: (a) \$4,300,000 annually would be transferred from the federal aid, criminal justice improvement projects, state operations appropriation and the appropriation would be repealed; and (b) \$4,301,300 and 4.95 positions annually would be transferred from the federal aid, anti-drug enforcement program, state operations appropriation and the appropriation would be repealed. A technical correction is needed to delete the 0.75 position and related funding that was inadvertently provided.

Joint Finance: Modify the Governor's provision as follows: (a) delete \$36,300 in 2001-02 and \$38,900 in 2002-03 and 0.75 position annually that were inadvertently provided; (b) delete \$293,200 annually in Byrne funding that was inadvertently provided; and (c) reduce by \$101,500 in 2002-03 the Byrne grant funds available for a proposed misdemeanor offender diversion program.

Senate: Modify the Joint Finance provision by deleting \$285,000 in 2002-03 in Byrne grant funds from the misdemeanor offender diversion program (these funds are transferred to the federal aid, local assistance and aids appropriation for community justice centers and the pretrial intoxicated driver intervention grant program).

Assembly: Modify the Joint Finance provision by: (a) deleting \$374,900 in Byrne grant funds from the misdemeanor offender diversion program in 2002-03; (b) transferring \$67,500 in Byrne grant funds to the federal aid, local assistance and aids appropriation to fund a crime prevention resource center; (c) transferring \$198,600 in Byrne grant funds to the federal aid, local assistance and aids appropriation to fund 3.0, rather than 3.0, restorative justice assistant district attorneys (ADAs); and (d) providing \$50,700 in 2001-02 and \$58,100 in 2002-03 in Byrne grant funds for an Office of Faith-Based Crime Prevention Initiatives.

Conference Committee/Legislature: Adopt the Senate provision and modify the Assembly provision by: (a) deleting \$199,900 in Byrne grant funds from the misdemeanor

offender division program in 2002-03; (b) transferring \$132,400 in Byrne grant funds to the federal aid, local assistance and aids appropriation to fund 2.0, rather than 3.0, restorative justice ADAs; and (c) deleting funding for an Office of Faith-Based Crime Prevention Initiatives. In total, \$484,900 in 2002-03 is deleted from the federal justice assistance, state operations appropriation and transferred to the federal aids local assistance and aids appropriation (\$240,400 in 2001-02 and \$244,500 in 2002-03).

[Act 16 Sections: 862, 863 and 867]

7. COMMUNITY JUSTICE CENTER GRANT PROGRAM

Senate/Legislature: Direct OJA to allocate \$150,000 annually in federal Byrne and matching penalty assessment funds for community justice center grants. Require OJA to provide grants to consortiums consisting of local government agencies and community-based organizations for planning community justice center programs. Require OJA to establish eligibility criteria for the grants, including specification of the types of agencies and organizations that would be eligible to receive grants. Provide that the maximum award that OJA could award any single consortium would be a one-time grant of \$50,000. Require OJA to establish guidelines for administering the grant program, including guidelines for evaluating and selecting grant recipients. Require OJA to give priority for receipt of grant funds to consortiums serving localities in which the incidence of crime is high relative to other localities in the state and to localities for which the ratio of persons placed at the county jail to the capacity of the jail is high relative to other localities in the state. Finally, require OJA to distribute \$50,000 of the grant funds in 2001-02 to the community justice center in Milwaukee.

Veto by Governor [D-21]: Delete provision.

[Act 16 Vetoed Section: 9101(21j)]

8. PRETRIAL INTOXICATED DRIVER INTERVENTION GRANT PROGRAM

Senate/Legislature: Direct OJA to allocate \$250,000 annually in federal Byrne and matching penalty assessment funds for a pretrial intoxicated driver grant program in the Department of Transportation (DOT).

Veto by Governor [D-21]: Delete provision.

[Act 16 Vetoed Sections: 327n, 672L and 2340q]

9. CRIME PREVENTION RESOURCE CENTER

Assembly/Legislature: Direct OJA to allocate \$55,000 in 2001-02 and \$35,000 in 2002-03 in federal Byrne anti-drug enforcement program grant money and matching penalty assessment

funds to provide funding for a crime prevention resource center. Require the Fox Valley Technical College to permit the Wisconsin Crime Prevention Practitioners Association or a person designated by the Association to establish at the college a crime prevention resource center and operate the center in cooperation with the Association or the person designated by the Association.

Veto by Governor [D-21]: Delete provision.

[Act 16 Vetoed Sections: 1375r and 9101(22w)]

10. COUNTY-TRIBAL LAW ENFORCEMENT GRANTS

	Legislature (Chg. to Base)	Veto (Chg. to Leg)	Net Change
PR	\$521,200	- \$521,200	\$0

Assembly: Provide \$360,600 annually in tribal gaming revenues and create a new cooperative county-tribal law enforcement grant program to provide: (a) \$210,550 annually to Vilas County to support a law enforcement agreement between Vilas County and the Lac du Flambeau band of Lake Superior Chippewa; (b) \$50,000 annually to Oneida County to support a law enforcement agreement between Oneida County and the Lac du Flambeau band of Lake Superior Chippewa; and (c) \$100,000 annually to Forest County to support a law enforcement agreement between Forest County and the Forest County Potawatomi. Provide that these counties must report to OJA as to how this grant money is expended. Provide that any unencumbered balance in OJA's newly-created grants for cooperative county-tribal law enforcement appropriation would revert to the Indian gaming receipts appropriation on June 30 of each year. Repeal the grant program and appropriation effective July 1, 2003.

Conference Committee/Legislature: Modify the Assembly position by deleting \$100,000 annually for Forest County.

Veto by Governor [F-27]: Delete provision.

[Act 16 Vetoed Sections: 395 (as it relates to s. 20.505(6)(kr)), 859r, 859s, 890g, 890h, 9101(21k) and 9401(3k)]